JOURNAL *of the* REGULAR SESSION

OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY

Begun and Held in the City of Frankfort, the Eighth Day of
January, in the Year of Our Lord 1925, and of
the Commonwealth One Hundred
and Thirty-three.

PROPERTY OF THE STATE OF KENTUCKY

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 3, 1924.

The House was opened with prayer by the Reverend J. Howard Gibbons, of the Protestant Episcopal church, of Frankfort.

The roll was called and the following members answered to their names, viz.:

W. L. Agee	Allen B. Cammack	J. O. Evans
W. B. Ardery	J. G. Campbell	H. M. Fultz
A. J. Baldridge	Sherman Chasteen	O. C. Gartin
J. H. Baughman	Lee Clark	T. H. Golden
L. D. Bax	Sam Cole	J. E. Hadden
W. B. Belknap	F. W. Collings	W. R. Haselwood
Homer Beliles	L. F. Coomes	H. C. Hawkins
C. W. Bennett	J. L. Cushing	J. W. Howard
J. E. Bickett	B. F. Day	R. O. Huntsman
S. A. Blackburn	J. R. Dorman	Hector Johnson
W. M. Boling	E. J. Doss	J. Roy Johnson
Wm. H. Bornhorst	G. L. Drury	A. J. Jolly
J. F. Bosworth	H. C. Duffy	D. C. Jones
W. J. Brandenburg	Wm. M. Duncan	H. J. Kegley
W. B. Bush	D. E. Edwards	T. H. King

T. J. Knight	Chas. A. Nelson	Geo. W. Smith
Oscar Leibson	F. V. Nunnelly	A. W. Stamper
Leon P. Lewis	E. E. Palmore	F. L. Strange
Leroy Lewis	J. J. Patterson	H. Q. Thompson
J. T. Linton	G. L. Perryman	D. D. Thornberry
J. Will McFarlin	H. A. Pulliam	W. S. Tinsley
W. J. McMurry	V. H. Redwine	N. I. Toombs
R. D. McMurtry	J. F. Reed	M. E. Vaughan
J. L. Manning	J. E. Robbins	C. D. Vincent
J. W. Martin	C. W. Ryans	W. S. Wallen
E. B. Miller	Arthur Saunders	E. C. Walker
Harry Miller	G. W. Shadoan	W. D. Watkins
G. W. Morgan	Lee L. Simons	C. Westerfield
E. D. Morris	W. M. Simpson	F. E. Wilson

The reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Drury moved that the rules be suspended and that the House proceed to the reading of the Calendar.

Said motion was agreed to.

Thereupon the House took up for consideration from the Calendar bills of the following titles, viz.:

H. B. 481. An act establishing and making the road leading from Owensboro, via Utica, Livia, Nuckels, Livermore and Island to South Carrollton, a part of the primary system of state highways of the Commonwealth of Kentucky, and designating said road as project No. —.

H. B. 206. An act establishing as a state primary road the road known as the Edmonton and Burkesville road, from Edmonton, in Metcalfe county, to its intersection with the road leading from Glasgow to Burkesville, in Cumberland county, which is project No. 40.

H. B. 450. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto, as project —, extending from Lancaster to Danville.

H. B. 412. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, relating to roads and bridges.

H. B. 453. An act relating to roads and bridges.

H. B. 211. An act to amend section 5 of chapter 17 of the Acts of 1920, project 13, relating to the system of primary state roads.

H. B. 73. An act relating to roads and highways.

H. B. 380. An act establishing as a part of the primary road system, Acts of 1920, chapter 17, the road leading from Tompkinsville to Glasgow, and known as the Tompkinsville-Glasgow pike, in Monroe and Barren counties, and designating said road as project No. —.

H. B. 491. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways and establishing and creating project 2½A.

H. B. 502. An act establishing as a part of the primary system of state highways of the Commonwealth of Kentucky, a road running from Ghent, Carroll county, Kentucky, via Sanders to New Liberty, in Owen county, Kentucky, and designating said road as project No. 13-A.

H. B. 246. An act to amend an act relative to location of state highways.

H. B. 410. An act establishing and making the road leading from Williamstown via the Bracht Station, Piner, Atwood, Kentucky Station, Ripple Creek, John Hill to Newport, Kentucky, a part of the primary system of state highways of the Commonwealth of Kentucky, and designating said road as project —.

H. B. 422. An act establishing and making the road leading from Wisden, Metcalfe county, Kentucky by the way of Hiseville to Jefferson School House, in Barren county, Kentucky, a part of the primary system of state highways of the Commonwealth of Kentucky, and designating said road as project —.

H. B. 437. An act establishing as a part of the primary road system of state highways a road from McKee, in Jackson county, to Jackson, in Breathitt county, via Booneville, in Owsley county, and Tallega, in Lee county, and designating said road as project No. 30-B.

H. B. 315. An act to establish project — in the primary system of state highways.

H. B. 461. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways, and establishing and creating project No. 10½A.

H. B. 552. An act establishing the road from Jackson to Hindman as a part of the state primary system.

H. B. 546. An act relating to roads and bridges and establishing a new project to be a part of the state primary system of roads.

H. B. 540. An act to amend section 5 of chapter 17 of

the Acts of the General Assembly of 1920, which is now section 4356t-5 of Kentucky Statutes, by Carroll, 1922 edition, relating to roads and bridges and establishing a system of primary roads for the State of Kentucky and making provisions for the establishment, construction and maintenance of the same.

H. B. 541. An act relating to roads and bridges, establishing a road from Rockcastle river bridge, at the place where the Dixie Highway crosses said river to McKee.

H. B. 473. An act establishing as a part of the system of state primary roads, a road leading from Hodgenville, in Larue county, to Campbellsville, in Taylor county, via Jericho, Malt, Hibernia and Badger, and following as nearly as practicable the old Hodgenville and Buffalo turnpike and Hodgenville and Campbellsville, but passing said points, said road to be known and designated as project No. 41½.

H. B. 494. An act establishing road leading from Longridge to Cherry Grove, by Jonesville, Downingsville, Stewartsville, Heekin and Cherry Grove.

H. B. 269. An act to designate more fully project 19 of the primary system of state highways adopted by the General Assembly of the Commonwealth of Kentucky, as set out in chapter 17, section 5, Acts of 1920, which is now section 4356t-5, Kentucky Statutes, Carroll's 1922 edition, and to establish the route on said project from Owenton to Williamstown.

H. B. 311. An act establishing and making the road leading from Georgetown to Versailles, beginning at the intersection of the Georgetown and Paynes Depot road with state project 17, and running thence via Paynes Depot and the Big Sink road to Versailles, and designating said road as project No. 59½.

H. B. 495. An act establishing the road leading from Glencoe to Napoleon, South Fork, Beaver and Richwood.

H. B. 419. An act to amend and extend chapter 17 of the Acts of 1920 so as to include in the primary system of state highways the road from Stanton, Kentucky, via Clay City to Mt. Sterling.

H. B. 415. An act relating to roads and bridges and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto, as project —, extending from Crab Orchard to Somerset.

H. B. 537. An act establishing as a part of the primary system of state highways a road running from Campbellsville, Kentucky, via Cane Valley, via Columbia, via Crocus, via Creelsboro to Albany, in Clinton county, Kentucky, and designating said road as project No. —.

H. B. 539. An act to establish as a part of the primary system of state highways a road leading from Princeton, in Caldwell county, to Eddyville, in Lyon county, via Dulaney and Kuttawa, same to be designated as project —, and known as the Princeton and Kuttawa Highway.

H. B. 527. An act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of 1920.

H. B. 529. An act relating to roads and highways.

H. B. 501. An act establishing as a part of the primary system of state highways of the Commonwealth of Kentucky, a road running from Carrollton, Carroll county, Kentucky, via the Little Kentucky river, Trimble county, Kentucky, and designating said road as project 18-B.

H. B. 510. An act establishing as a part of the primary system of state highways a road leading from the point of intersection of Hodgenville and Sonora road with the Dixie Highway, project 5, in Hardin county, to Hodgenville, in Larue county, following as nearly as practicable the said Hodgenville and Sonora road, and designating same as project 3½.

H. B. 496. An act establishing the road leading from project 49, at the Brissie road to project 5, by Harris Musselmans', via Sweet Owen, Needmore, Holbrook and Lawrenceville.

H. B. 411. An act relating to roads and highways, making the Russellville and Morgantown road a part of the state primary system.

H. B. 270. An act establishing and designating a road from Williamstown to Warsaw, via Dry Ridge, Hand, Folsom and Glencoe, as a part of the primary system of state highways, adopted by the General Assembly of the Commonwealth of Kentucky, and recorded as such in chapter 17, section 5, Acts of 1920, which is now section 4356t-5, Kentucky Statutes, Carroll's 1922 edition.

H. B. 271. An act establishing and designating a road from Williamstown, Kentucky, to Cynthiana, Kentucky, as a part of the primary system of state highways, adopted by the General Assembly of the Commonwealth of Kentucky and recorded as such in chapter 17, section 5, Acts of 1920, which is now section 4356t-5, Kentucky Statutes, Carroll's 1922 edition.

H. B. 277. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, relating to roads and bridges.

H. B. 215. An act to amend chapter 17 of the Acts of 1920 by adding project —, extending from Garfield, on project 8, to Cecelia, on project 12, by way of Custer, Dyer and Constantine

H B. 310. An act establishing the road leading from Georgetown to Paris, via Newtown, as a part of the primary system of state highways of the Commonwealth of Kentucky, and designating said road as project No. —.

S. B. 72. An act relating to public roads.

S. B. 34. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1923 Kentucky Statutes, relating to roads and highways and establishing and creating project No. 10½.

S. B. 62. An act to establish project 68 in the primary system of state highways.

S. B. 177. An act to amend project 8 of chapter 17 of the Acts of the General Assembly of 1920, relating to roads and bridges and road projects.

S. B. 143. An act to amend chapter 17 of the Acts of 1920 by adding project —, extending from Garfield, on project 8, to Cecelia, on project 12, by way of Custer, Dyer and Constantine.

S. B. 148. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways, and establishing and creating project No. 2½.

S. B. 19. An act providing for the metaling of inter-county seat roads heretofore graded and drained at the cost of the Commonwealth in whole or in part.

H. Res. 5. Resolution authorizing W. P. Burke to sue the Commonwealth of Kentucky.

H. B. 654. An act to further regulate the plugging of abandoned oil or gas wells.

H. B. 472. An act to repeal sections 68b-4 and 68b-19 and all intervening sections, and sections 68b-22, 68b-31, 68b-34 and 68b-36 of Kentucky Statutes, Carroll's edition, 1922, and enacting in lieu thereof, and as part known as an act to promote and protect live stock industries in Kentucky; providing for the listing and taxation of dogs, prescribing the duties of officers in carrying out the provisions of the act and providing penalties for violation of provisions of the act.

S. B. 17. An act to amend and re-enact sections 4143 and 4148 of the Kentucky Statutes, John D. Carroll's edition, 1915, relating to revenue and taxation, and changing the time for the collection of taxes.

H. B. 458. An act relating to revenue and taxation, providing for the fixing of fees of appraisers of estates for inheritance taxes, and amending section 4281a-11 of the Kentucky Statutes, Carroll's edition, 1922.

H. B. 536. An act to provide for a progressive tax on transfers of direct and collateral inheritances, and to amend sections 4281a, 4281b, 4281c, 4281d, 4281e, 4281f, 4281g, 4281h, 4281i, 4281k, 4281l, 4281m, 4281n, 4281o, 4281p, 4181q, 4281r, 4281t of Carroll's Kentucky Statutes, 1915, as amended by an act entitled, "An act providing for progressive tax on direct and collateral inheritances," being chapter 26 of the

Acts of the General Assembly of 1916, as amended by an act entitled, "An act to more clearly define the method and procedure for the imposition of inheritance taxes on contingent interests or estates and to amend sections 4281a to 4281s, both inclusive, Kentucky Statutes, Carroll's 1915 edition, and chapter 26 of the Acts of 1916, by prescribing the rate of tax and the method of collecting same on contingent interests of estates and providing for a refund upon the happening of the contingency to persons who are required to pay a less amount than the tax imposed and paid," being chapter 56 of the Acts of the General Assembly of 1915, as amended by an act entitled, "An act relating to the collection of inheritance tax, requiring certain reports of county court clerks and imposing certain duties upon the State Tax Commission, and otherwise designating a method of procedure in the collection of such tax," being chapter 44 of the Acts of the General Assembly of 1920.

H. B. 480. An act relating to prostitution, and enforcing the laws against houses of assignation.

H. B. 520. An act to amend and re-enact section 2 of chapter 1 of the Acts of the General Assembly of 1920, approved March 8, 1922, entitled, "An act to provide for the establishment of two normal schools for the training of white elementary teachers, and appropriating money for the maintenance and operation thereof."

Whereas, the greatest need of common schools is trained elementary teachers, and,

Whereas, the state normal schools already established can neither reach nor train all elementary teachers needed for the common schools:

Being an act for the creation of boards of regents and vesting the management and control of the two normal schools

established under the provisions of said act in boards of regents instead of the State Board of Education; providing for the appointment of the boards of regents by the Governor of the Commonwealth, and fxing their terms of office; providing certain rules and regulations for the management and operation of said schools, and empowering the board of regents to exercise full management and control in the operation of said schools.

H. B. 465. An act to amend and re-enact sections 331a-3 and 331a-15 of Kentucky Statutes, Carroll's 1922 edition, being sections 3 and 15 respectively of chapter 72, page 212 of the Acts of the General Assembly of 1914, entitled, "An act to regulate the labor and employment of children and minors and to make the provisions thereof effective," approved by the Governor March 21, 1914, by requiring the employment certificates provided for in section 331a-3, and for the forwarding of the duplicate copy to the State Labor Inspector, and by including the distribution and sale of newspapers in the occupations of boys between the ages of fourteen and sixteen years, enumerated in section 331a-15.

H. B. 434. An act to amend section 331e of article 7, chapter 18, of Kentucky Statutes, Carroll's edition, 1922, relating to delinquent, dependent and neglected children.

H. B. 516. An act to define and standardize ice cream and prevent its adulteration and misbranding.

H. B. 84. An act authorizing the collection of reasonable attorneys' fees when provided for in written contracts and obligations, and providing how, in certain instances, such paid or recovered hereunder shall not determine the amount collection may be enforced, and providing that the amount of fee to which the attorney shall be actually entitled as against his client.

H. B. 428. An act to amend sections 733, 734 and 728 of Kentucky Statutes relating to real estate title insurance companies.

S. B. 108. An act to define, regulate and license real estate brokers and real estate salesmen in each city of the first and second class; to create a real estate commission and to provide penalties.

H. B. 430. An act for the benefit of Mary E. Cunningham, whose husband, Hodge G. Cunningham, lost his life in the performance of a public service, and leaving the said Mary E. Cunningham and leaving also two minor children.

H. B. 470. An act to repeal chapter 84 of Kentucky Statutes, Carroll's edition, 2591 to 2610, inclusive, of said edition. Article I of said chapter relating to master and apprentice and article II to master and servant.

S. B. 80. An act to require the display of the United States flag on school houses.

H. B. 402. An act to amend and re-enact section 3554 of the Kentucky Statutes, chapter 89, subdivision 4.

H. B. 526. An act to amend section 3891 of Carroll's Kentucky Statutes.

S. B. 305. An act authorizing the sale of property heretofore or hereafter acquired and owned by any county or counties of this state, to be used for or to establish a sanatorium for the treatment of tuberculosis, where such property has ceased to be used for such purposes, or in the judgment of the fiscal court of any such county or counties the property so acquired and owned by it or them is not being

and cannot be maintained and successfully used for such purpose.

S. B. 20. An act to require the teaching of the Constitution of the United States in the public and private schools of the state.

H. B. 431. An act for the benefit of Mary Mattingly, whose husband, V. B. Mattingly, lost his life in the performance of a public service, and leaving the said Mary Mattingly as his widow.

S. B. 39. An act to provide for the relief of the needy blind in the counties.

H. B. 498. An act to amend and re-enact section 1739, Kentucky Statutes, Carroll's edition, 1922.

H. B. 418. An act relating to fees of surveyors.

H. B. 356. An act to amend, revise and re-enact section 1 of an act entitled, "An act to amend an act entitled, 'An act defining boundaries for school districts, embracing cities of the fourth class and providing systems of schools in such districts and creating boards of education thereof, defining their powers and duties and repealing all laws in conflict therewith.

H. B. 286. An act to amend section 2103-1 and to repeal and re-enact sections 2104, 2105, 2106, 2107 and 2108, chapter 66, article 1, of the Kentucky Statutes, Carroll's edition of 1922, entitled husband and wife.

H. B. 432. An act for the benefit of Mrs. William Gilbert, whose husband, William Gilbert, lost his life in the per-

formance of a public service, and leaving the said Mrs. William Gilbert as his widow.

H. B. 459. An act to provide for the establishment, conduct and maintenance of public playgrounds and recreation centers in and by cities and counties, and authorizing school districts to join in the operation of playground and recreation centers, and the manner of raising revenue therefor.

H. B. 511. An act to provide for the safety of life and property and to create a board of boiler rules which shall formulate rules and regulations for the safe construction, use and operation of steam boilers; to provide for the enforcement of the rules and regulations of the board of boiler rules; to provide for the inspection of steam boilers and the fees to be charged therefor, and to provide a penalty for the violation of the provisions of this act.

H. B. 401. An act relating to award to enlisted soldiers, sailors, marines and army nurses in the service of the United States, inducted, warranted or commissioned, during the World war, from or between April 6th, 1917, and November the 11th, 1918, or any part thereof from the State of Kentucky; fixing the amount of and creating the Soldiers Compensation Board of Kentucky, and fixing powers and duties of such commission; providing for the sale of bonds, &c.

S. B. 14. An act to amend section 246 of the Constitution of the Commonwealth of Kentucky, relating to salaries of officers.

S. B. 166. An act to amend section 965, Carroll's Kentucky Statutes, sixth edition, 1922, and changing the time of holding court in the Thirty-first Judicial District; fixing the time therefor, and declaring an emergency.

H. B. 397. An act creating the Thirty-seventh Judicial District of Kentucky; fixing the time of holding courts thereof; providing for the appointment and election of a circuit judge, and providing for a Commonwealth's attorney therein; changing the Seventh and Eighth Judicial Districts of Kentucky so as to provide for said Thirty-Seventh District; providing for the appointment and election of a Commonwealth's attorney in said Eighth Judicial District, and fixing the time for holding the courts in said Seventh, Eighth and Thirty-seventh Judicial Districts.

H. B. 194. An act to regulate the charitable and eleemosynary institutions of this Commonwealth; to create a bipartisan board of commissioners for the management and supervision of the charitable and eleemosynary institutions of this Commonwealth; to vest in said board ample power, including all power now vested by law in the State Board of Charities and Corrections in so far as such power pertains to the charitable institutions of this Commonwealth, and not inconsistent with this act; to create the Kentucky Board of Charities; to repeal all other acts and parts of acts in conflict with this act; to abolish the State Board of Charities and Corrections and to terminate the terms of office of the members of said board; to abolish the office of Commissioner of Public Institutions and to terminate the term of office of the Commissioner of Public Institutions.

H. B. 195. An act to regulate the penal institutions of this Commonwealth; to create a bi-partisan board of commissioners for the management and supervision of the penal and correctional institutions of this Commonwealth; to vest in said board ample powers, including all powers now vested by law in the State Board of Charities and Corrections in so far as such powers pertain to the penal institutions of this Commonwealth, and not inconsistent with this act; to create the Kentucky Board of Prison Commissioners; to repeal

chapter 7 of Session Acts of 1920; to repeal all other acts and parts of acts in conflict with this act; to abolish the State Board of Charities and Corrections and to terminate the terms of office of the members of said board; to abolish the office of Commissioner of Public Institutions and to terminate the term of office of the Commissioner of Public Institutions.

H. B. 120. An act to amend and re-enact section 3142B-3, Kentucky Statutes, Carroll's sixth edition, 1922.

H. B. 492. An act to amend and re-enact section 3480-5 of the Kentucky Statutes, Carroll's edition, 1922, relating to cities of the third class.

H. B. 435. An act providing for oiling of the streets and alleys of cities of the second class.

S. B. 245. An act to amend and add to chapter 89, Kentucky Statutes, title Municipal Corporations, and especially that part of said chapter relating to cities of the third class, and to authorize cities of the third class to acquire by purchase or otherwise, and to operate street railroads and omnibus or taxicab lines and their equivalent and to issue and sell bonds to raise funds for that purpose.

H. B. 393. An act to provide for a uniform system for the licensing of teachers, supervisors, principals and superintendents in the public schools of this Commonwealth and to more clearly define standards upon which such licenses are based, and to define the duties of the State Board of Education, the Superintendent of Public Instruction, and the State Board of Examiners in connection with the examination of teachers for such licenses and the issuance, renewal, extension, or validation of licenses for teachers, supervisors, principals and superintendents of schools of this Commonwealth and to expressly repeal sections 4396b-2, 4386, 4501a-1,

4501a-2, 4501a-3, 4501a-4, 4501a-5, 4501a-6, 4501a-7, 4501a-8, 4502a-1, 4502a-2, 4502a-4, 4502a-8, 4503a-1, 4503a-2, 4535a-32, and 4636a-14, Carroll's edition, Kentucky Statutes, 1922.

S. B. 223. An act creating a State Board of Education, specifying its powers, duties and functions, repealing sections of Carroll's 1918 edition of Kentucky Statutes to wit: sections 4377, 4378, 4379, 4380, 4381, 4382, 4383, 4396b-3, 4535k-1, 4535k-3, 4535k-5, relating to membership of the State Board of Education, its powers and duties; also acceptance of an act of Congress providing for vocational rehabilitation and reaffirming acceptance of these acts, and in lieu thereof, enacting sections and subsections vesting the general administration and supervision of the schools and school fund in a State Board of Education, setting forth certain powers, privileges and duties of said board.

H. B. 474. An act to amend and re-enact section 4376 of the Kentucky Statutes, Carroll's edition, 1922, relating to common school laws.

H. B. 476. An act to create a state teachers' retirement system.

B. B. 538. An act to repeal, clarify, amend and enact sections of laws relating to the management and control of school districts, graded districts and subdistricts, repealing chapter 45, Acts of 1920, and sections 4100, 4101, 4420a-2, 4420a-3, 4484, Acts of 1922, and sections 4431 and 4432, 4426a-3, 5, 6 and 9, Kentucky Statutes, and 4458, 4463b and intervening sections of Kentucky Statutes, and section 5 of chapter 138, Acts of 1918.

S. B. 263. An act to amend and re-enact section 2007h-2 of Kentucky Statutes, Carroll's 1922 edition, said act when

so amended and re-enacted to provide more adequately for forestry work and appropriating money therefor.

H. B. 506. An act relating to the bonds of game wardens.

S. B. 9. An act making an appropriation to the Kentucky Geological Survey and declaring an emergency.

S. B. 87. An act appropriating twenty-five thousand dollars annually for the establishment, operation and maintenance of a sub-experiment station under the direction of the Agricultural Experiment Station of the University of Kentucky, prescribing the purpose of the sub-experiment station and the manner in which the appropriation is to be paid.

H. B. 525. An act entitled an act permitting the members of cooperative marketing associations to execute crop mortgages upon their products.

H. B. 489. An act granting the owners, and operators of threshing machines a lien upon any grain or seed threshed or hulled by such machine, and providing for the enforcement of such lien.

H. B. 464. An act for the benefit of the Home for Incurables.

H. B. 201. An act to provide for the treatment, care and education of crippled children, and to create a commission to carry out the provisions of this act, and to appropriate funds to defray the expenses incident to such treatment, care and education.

H. B. 507. An act to authorize a trustee. assignee for the benefit of creditors, receiver or commissioner, to enforce

the double liability clause against stockholders in banks, trust companies, guaranty companies, investment companies and insurance companies.

H. B. 45. An act authorizing a magisterial district of a county, to become indebted for the construction and maintenance of public roads and bridges or in aid thereof, and to issue bonds for said indebtedness and providing the manner for creating the debt issuing the bonds and bringing and carrying the taxes necessary to pay the bonds and the interest on same.

H. B. 449. An act to repeal and re-enact subsection 6 of section 51 of the Civil Code of Practice, relating to service of summons on agents.

H. B. 582. An act to amend section 256 of the Constitution of the Commonwealth relating to amendments to the Constitution and the adoption thereof.

Ordered, that said bills be read the second time.

The constitutional provisions as to the second reading of said bills at length the second time being dispensed with, they were read the second time by their titles.

Ordered, that said bills be placed in the Orders of the Day.

A message was received from the Senate announcing that they had passed a bill which originated in this House of the following title, viz.:

H. B. 318. (For title and bill see House Journal February 15.)

Together with the following amendments thereto, viz.:

Amend H. B. 318 by striking out of section 1, lines 31, 32, 33, 34 and 35, the following words: "and also except a tax of one ($1.00) dollar for each one thousand ($1,000) dollars shall be paid in on the capital stock of every building and loan association incorporated under the laws of this state and making loans to members only, as now provided by law," and substituting in lieu thereof the following: "and also except building and loan associations incorporated under the laws of this state and making loans to members only, which associations shall be assessed in the manner and at the rate now set forth in chapter 14 of the Acts of Extraordinary Session of General Assembly of 1917."

Amend section 1 of H. B. 318 in the Senate by inserting in line 39, page 3, of the printed bill, between the words "unsecured" and "and" the word "franchises."

And has amended the title of said bill so that when said title is so amended, it will read as follows:

An act to amend and re-enact section 1 of chapter 11 of the Acts of the Extraordinary Session of the General Assembly of 1917, as amended and re-enacted by section 1 of chapter 4 of the Acts of the General Assembly of 1918; and to repeal section 3 of chapter 11 of the Acts of the Extraordinary Session of the General Assembly of 1917; and to amend and re-enact section 4 of chapter 11 of the Acts of the Extraordinary Session of the General Assembly of 1917, as amended and re-enacted by chapter 18 of the Acts of the General Assembly of 1922, and to amend and re-enact section 5 of chapter 11 of the Acts of the Extraordinary Session of the General Assembly of 1917; and to repeal section 1 of chapter 65 of the Acts of the General Assembly of 1920; and to amend and re-enact section 1 of chapter 10 of the Acts of the Extraordinary Session of the General Assembly of 1917, as amended and re-enacted by section 1 of chapter 83 of the Acts of the General Assembly

of 1920; and to amend and re-enact sections 1 and 3 of chapter 4 of the Acts of the Extraordinary Session of the General Assembly of 1917; being an act relating to revenue and taxation, providing an annual tax upon property subject to taxation in this state, fixing the rate thereof, distributing said tax to various departments and state institutions, providing manner and means of assessing and listing corporate property and shares of stock, and shares in building and loan associations, designating what classes of property shall be subject to local taxation, fixing time for collecting taxes on omitted personal property in certain cases, requiring record of assignment of evidence of indebtedness secured by mortgage in certain cases, requiring fiduciaries to file inventories of trust property, conferring power on taxing authorities to examine books and accounts of fiduciaries, requiring payment of taxes before final discharge, providing an additional tax for recording certain mortgages, making failure to pay taxes a bar to enforcement of indebtedness in certain cases, fixing penalties and repealing existing statutes.

Said amendments were each and severally agreed to.

Said bill as amended was then passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. B. Ardery	J. F. Bosworth	L. F. Coomes
A. J. Baldridge	W. J. Brandenburg	J. L. Cushing
J. H. Baughman	W. B. Bush	B. F. Day
L. D. Bax	Allen B. Cammack	J. R. Dorman
Homer Beliles	R. J. Cain	E. J. Doss
C. W. Bennett	Sherman Chasteen	G. L. Drury
J. E. Bickett	Lee Clark	Wm. M. Duncan
S. A. Blackburn	Sam Cole	D. E. Edwards
Wm. H. Bornhorst	F. W. Collings	J. O. Evans

H. M. Fultz
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
H. C. Hawkins
J. W. Howard
R. O. Huntsman
A. J. Jolly
D. C. Jones
H. J. Kegley
T. H. King
T. J. Knight
Oscar Leibson
Leroy Lewis
Martin Light
J. T. Linton
J. Will McFarlin
W. J. McMurry
J. L. Manning
E. B. Miller
Harry Miller
G. W. Morgan
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
E. E. Palmore
J. J. Patterson
G. L. Perryman
H. A. Pulliam
V. H. Redwine
J. F. Reed
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
A. W. Stamper
F. L. Strange
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

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There voted in the negative—

Leon P. Lewis

—1

Resolved, that the title thereof be as amended.

Mr. Drury moved that the vote by which said bill, as amended, was passed, be reconsidered and that motion lie on the table.

Said last named motion was agreed to.

Ordered, that said bill be delivered to the Enrolling Clerk of the House.

A message was received from the Senate announcing that they had passed a bill and a resolution which originated in that body of the following titles, viz.:

S. B. 272. An act to repeal, amend and re-enact section 3 of chapter 34 of the Acts of the General Assembly of Kentucky, 1920, touching the Kentucky Geological Survey.

Ordered, that said bill be printed and referred to Committee on Rules.

S. Res. 13. Resolution for the benefit of certain employes of the House and Senate.

Said resolution is as follows, viz.:

Concurrent resolution for the benefit of Mrs. Helen Marrs Thompson, Enrolling Clerk; Miss Jennie McDonald, Enrolling Clerk; Mrs. George W. Smith, Assistant Enrolling Clerk; John Green, Doorkeeper; B. L. Cox, Doorkeeper; Lonnie E. Smith, Janitor; F. Boone Rapier, Assistant Doorkeeper; Phil McCann, Assistant Doorkeeper; Peter Welch, Assistant Doorkeeper; Frank Sebree, Assistant Doorkeeper; T. M. Pythian, Assistant Doorkeeper; Huston Gregory, Cloakroom Keeper; Maurice M. Sherman, Cloakroom Keeper; Robert T. Hamilton, Cloakroom Keeper; Josephine Fonville, Stenographer; Mary J. Waters, Stenographer; Hazel Garner, Page; Ignatious Drury, Page; Guthrie Crowe, Page; Wilmer Edwards, Page; W. B. Roberts, Page; J. Edmond Nelson, Page; Jack Barton, Page; Miss Virginia Strange, Page; Woodrow Wilson Kelly, Page; Cecil Sparks, Page.

Whereas, the above named doorkeepers are now serving in their respective stations at a salary of $5.00 per day each, and,

Whereas, the same salary is not enough and in keeping with prices paid other parties for such service, now, therefore,

Be it resolved, that the Senate and the House of Rep-

resentatives concurring therein, that the said John Green, F. Boone Rapier, Frank Sebree, B. L. Cox, Phil McCann, T. M. Pythian, Peter Welch, be allowed the sum of $2.00 per day each in addition to what they now receive for their services as above set out, and,

Whereas, Lonnie Smith, who is serving as Bill Clerk of the House of Representatives, receives only $4.00 per day, now, therefore,

Be it resolved, that they be allowed the sum of $2.00 per sum of $3.00 per day in addition to what he now receives, and,

Whereas, Miss Jennie McDonald, Mrs. Helen Marrs Thompson and Mrs. George W. Smith are serving as Enrolling Clerks at a salary of $6.00 per day, now, therefore,

Be it resolved, that they be allowed the sum of $2.00 per day each in addition to what they now receive, and,

Whereas, Maurice Sherman, Robert L. Hamilton and Huston Gregory are serving as Cloakroom Keepers in the Senate and House of Representatives at $3.00 per day, therefore,

Be it resolved, that they be allowed the sum of $3.00 per day in addition to what they now receive, and,

Whereas, Miss Hazel Garner, Miss Virginia Strange, J. Edmond Wilson, Velmer Edwards, Ignatius Drury, Cecil Sparks, Jack Barton, Guthrie Crowe, C. B. Roberts and Woodrow Wilson Kelly are serving as pages at $2.50 per day each, therefore,

Be it resolved, that they be allowed the sum of $2.00 per ditional sum of one dollar each per day for their services, and,

Whereas, Josephine Fonville and Mary J. Waters are serving as stenographers in the House of Representatives and Senate, therefore,

Be it resolved, that they be allowed the sum of $2.00 per day each additional.

All of the same to be paid by the Treasurer on warrants drawn on him by the Auditor of Public Accounts, out of any funds in his accounts not otherwise appropriated.

Said resolution was adopted.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
A. J. Baldridge
W. B. Belknap
Homer Beliles
J. E. Bickett
S. A. Blackburn
Wm. H. Bornhorst
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
J. G. Campbell
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
O. C. Gartin
T. H. Golden
J. E. Hadden
H. C. Hawkins
R. O. Huntsman
Hector Johnson
A. J. Jolly
D. C. Jones
H. J. Kegley
T. H. King
Oscar Leibson
Leon P. Lewis
Leroy Lewis
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
Harry Miller
G. W. Morgan
J. L. Morgan
E. D. Morris
E. E. Palmore
J. J. Patterson
V. H. Redwine
J. F. Reed
J. E. Robbins
C. W. Ryans
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
H. Q. Thompson
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
M. E. Vaughan
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

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Those who voted in the negative were—

J. H. Baughman J. Will McFarlin H. A. Pulliam
J. O. Evans

—4

Mr. Drury moved that the vote by which said resolution was passed be reconsidered and that motion lie on the table.

Said last named motion was agreed to.

Mr. Drury, of the committee heretofore named by the Speaker of this House to act in conjunction with a like committee from the Senate to investigate the penal and charitable institutions of the state, offered the following report and evidence taken by said committee.

Said report is as follows, viz.:

To the Senators and House of Representatives of Kentucky:

Your committee, appointed at a former day of this session, beg leave to report that they have, as far as possible in the limited time under your resolution they were permitted to do so, investigated as diligently as possible some of the charitable and penal institutions of the state. From the cery nature of things, and on account of the great number of accounts and the great number of employes, it was impossible in the time allotted to even make as full an investigation as the committee desired. But that the legislature might have the result of our investigation and the taxpayers of the state the benefit of it, we shall not enter into detail with reference to the shipment of an old Methodist preacher, who died in the hospital at Hopkinsville, to a medical college in Louisville, and afterwards, when his body was called for and after much delay, his wife going to Paducah to inter the body, it developed that the body was that of a red-headed

boy instead of her husband; that after much delay she was able to secure the body of her husband, mutilated, which she buried there; nor that an old man, through the negligence of an attendant at the Hopkinsville asylum was scalded to death while taking a bath at this institution, and that this attendant has been promoted; nor that an employe of the reformatory was discharged on account of his refusal to contribute money to the defense of Jerry Reed, charged with the murder of Miss Laura Parsons. These are practically admitted facts; so we shall not go into details. We have, therefore, to report:

1st. That the management of the institutions as compared with their former management under both Democratic and Republican administrations, falls far short in either the discipline in and management of the institutions or the cost of running the same;

2nd. While there has been some evidence introduced before us which tends to show that the institutions have not been managed in a non-partisan, non-political way, yet we are not sufficiently satisfied upon this question to say that that is true:

3rd. We find from the evidence that there are quite a number of non-residents holding the most responsible positions in these institutions; that some of these are held in their positions despite their brutal treatment of the prisoners and their drunkenness and immoral conduct inside of the institutions.

4th. Under the fourth, fifth and sixth paragraphs of the resolution we were unable, in view of the more important things, to pursue the inquiry far enough to reach a satisfactory conclusion, and we felt like there were matters connected with the institutions that were of far more importance both to the taxpayers of the state and the inmates, than the mere question of politics.

5th. From the evidence before us we find that the number of employes has been increased, and there is no question

that the salaries of those holding what should be the most important positions have been greatly increased, without a similar return in either expert knowledge or services rendered the state; and that the changes have been so juggled that employes receiving small salaries in a number of instances have been dispensed with and replaced by inmates of the institutions and highly paid and highly salaried places made and persons put in them.

6th. While we recognize the fact that punishment must be administered to the inmates of the institutions to enforce discipline, still our investigation discloses the fact that in many instances and in many ways the punishment is so inhuman, severe and cruel that many of the inmates have been left in a condition injurious to their health, and other practices of such a nature resorted to which instead of enforcing discipline have resulted in bringing about conditions and feelings among the inmates tending to further a more serious trouble.

7th. Your committee was unable to get a detailed statement showing the purposes for which all of the money was spent at the different institutions, but the aggregate amount of the same is shown by statements filed with the testimony of Commissioner J. P. Byers, which are attached thereto.

8th. Under the tenth clause of the resolution under which your committee acted, the committee was directed to make a full investigation of the entire affairs of the institution as may appear to them necessary for the proper enlightenment of the General Assembly.

We find that for the entire period of twenty years prior to 1920 the deficit for the two penal institutions was $347,085.54, an annual average deficit of $17,354.27.

We further find that the deficit for the same institutions from the time that Commissioner Byers took charge under the Board of Charities and Corrections to January 1, 1924, a period of a little over three and a half years, was $1,277,201.71, with 159 fewer prisoners.

We further find from the testimony that the deficit for all the charitable and penal institutions since Commissioner Byers took charge is over $6,600,000.00, as shown by the testimony of Commissioner Byers himself.

We find that a contract was awarded to a certain firm in Louisville, Kentucky, to buy certain materials, including radiators, piping and electrical supplies, the board agreeing to pay them 10% on such supplies as they might buy. Under this contract we find from the evidence of the engineer of the institutions that this order was duplicated twice. It is, however, shown that lately, just how lately we did not ascertain, that one of the extra orders had been shipped back to Belknap & Company, from whom it had been purchased.

That there are evidences both at the institutions and from the evidence taken of a reckless expenditure of the people's money cannot be doubted.

Upon contracts for supplies for these institutions we have abundant evidence from business men that shoes were purchased by Commissioner Byers not from the lowest bidder, but by paying ten to forty-five cents per pair more for identically the same shoe, manufactured by the same manufacturer, and the same lot number, and shipped from the same point.

We further find that after advertising for bids for material to be furnished to these institutions the representatives of firms who appeared upon the day advertised were informed that the goods had been purchased on a previous day.

We further find that at the time Commissioner Byers took charge of the institutions insurance policies were carried upon all the institutions of the state, but that same were cancelled immediately thereafter at short rates and at quite a lot to the state, without any reason being given; that Mr. Tachau, the chairman of the Board of Charities and Corrections, who was in the insurance business, was delegated and appointed by the board to replace this insurance,

and that $408,000.00 of it was placed with companies represented by Mr. Tachau and his sons, and $51,000.00 was placed with companies represented by Mr. Lafon Riker, whose wife is a member of the Board of Charities and Corrections; that this insurance cost the state about $74,000.00.

It is further shown in the evidence that clothing was sold to the institutions at $13.00 per suit, and that like suits could have been purchased for not exceeding six dollars, and that these suits were purchased from Levy Bros., who are brothers-in-law of Chairman Tachau.

It is further shown that bids were made upon cloth, many thousands of yards of which were sold to the institutions, and the contract for which was awarded at three-quarters of one per cent per yard higher than the lowest bid.

The evidence before us shows that reputable firms, feeling that they had no chance to secure contracts, regardless of the price they might make, have been and are failing to offer bids, which in a way makes competitive bidding not a realty and enables firms to secure contracts at exorbitant prices on account of the lack of competition.

We have no doubt that the increase in salaries, together with the reckless purchase of supplies, including many automobiles, accounts for the great difference in the deficit between the twenty years preceding and the three and a half years after Commissioner Byers took charge.

We find that the cells at the state reformatory at Frankfort are infested with vermin, that the bed clothing is dirty, and that the sanitary conditions are very bad; that the handling of prisoners both here and at the house of reform is so inhuman that a description of it can scarcely be given; that the boys at the reform school at Greendale for the least offense for which they are punished, are put in cells and compelled to stand at attention for some ten to eleven hours, and not permitted to move or speak, with ten minutes allowed at the end of each hour to stand and exercise; that this punishment lasts from fifteen to sixty days; that during this

punishment they are fed for, the first five days, on bread and water, and for the remainder of their term on bread and milk.

At the reform school at Greendale, we also found the hospital almost empty, yet lying upon the bare floor of these cells were two sick boys who informed your committee that they had been thus confined for sixty days, with no charge against them except their disease—while Mr. Sackett, of the Board of Charities and Corrections, testified that this condition was not correct, that is, with reference to punishment, but it was admitted by the acting superintendent of the institution and by the guard of the boys, to your committee, that this was the truth, which only confirms our belief, which stands out through the entire record that the Board of Charities and Corrections know but little that is going on in the institutions; and from the very nature of the case, for taking the minutes which have been filed with this committee we find that there has been but few meetings of the board with a full board present, but that at practically all of them Chairman Tachau and Commissioner Byers were present, and that most of the important transactions have been delegated by resolution either to Commissioner Byers or Tachau, or Tachau and Commissioner Byers.

The punishment inflicted at the reformatory at Frankfort, as testified to by Superintendent Bastin, is a very severe punishment inded, and using his expression, it had always been a thorn in his side; and we are convinced that if Superintendent Bastin had a free rein that the Assistant Superintendent Hopkins, whose conduct in this record is bad indeed, would have been discharged and the "water cure" never inaugurated. This "water cure" leaves the persons of the convicts bruised and exhausted, and in one instance pneumonia developed afterwards and the prisoner died.

We further find that prisoners that were sent out to a road camp in Rockcastle county, from the testimony of Superintendent Bastin, who investigated the case, the prison-

ers were made drunk, a guard sold one of them a 45 colt pistol, and eight of them, including this one, made their escape, and that those that returned did so voluntarily. While these guards were discharged, it shows a lack of proper discipline in the men employed as guards.

We had opportunity in the brief time allotted us to visit and take proof at only two institutions, at both of which there was present at all times the superintendent of each institution, who sat by and heard the testimony and was afterwards requested to give his testimony and explain any of the conditions about which the witnesses had been examined or to make any other statement which he might desire about the matter.

We have taken the testimony of forty-nine witnesses; among the forty-nine were:

Commissioner Byers, himself; H. E. Nelson, auditor of the Board of Charities and Corrections; O. L. Gumm, guard at Greendale; Alfred Runyons, inmate at Greendale; Forrest Glass, division officer at Greendale; W. Wallace DeWitt, receiver at Greendale; John F. Quinn, athletic director, military instructor and disciplinarian; Mrs. John O'Connor, tailoress; Ben L. Goodwin, office clerk, Greendale; Mrs. John McAtee, nurse, Greendale; Chas. W. Umstead, chief engineer, Greendale; B. E. Welch, acting superintendent, Greendale.

All of these witnesses are in the employ of the state at the boys' department of the reform school except Alfred Runyons, who is an inmate, and whose testimony is unimportant.

Miss Helen T. Reeves, superintendent Kentucky State School for Girls, at the house of reform, Greendale.

We next took at Frankfort the testimony of the following witnesses:

Col. Ike Hart, of Hopkinsville, Ky., and Cincinnati, O., in the shoe business; J. T. Wall, of Wall & McGowan, merchants at Hopkinsville; J. H. McGowan, of Carey & McGowan, merchants at Hopkinsville; John Roach, former gard-

ener, Hopkinsville Asylum; Dr. E. H. Morgan, former senior physician, Hopkinsville Asylum; Junius Southern, former gardener, Hopkinsville Asylum; Wm. Warfield, former employe, Hopkinsville Asylum; Robert B. McDonald, music director, Greendale and at Eastern State Hospital; S. H. Byers, former steward at Hopkinsville Asylum; L. E. Vaughn, former guard, Hopkinsville Asylum; C. J. Gee, former gatekeeper Hopkinsville Asylum; Ira D. Smith, lawyer, Hopkinsville; D. E. Barnes, deputy county court clerk, Christian county; Walter Ezell, circuit court clerk, Christian county; Lorenzo K. Wood, county judge, Christian county.

And at a later date there was taken at Frankfort the evidence of the following witnesses:

Frederick M. Sackett, member of the Board of Charities and Corrections; James E. Wilhelm, of the Marion Machinery, Foundry & Supply Co.

And on a later date there was taken at Frankfort the evidence of the following witnesses:

W. B. Fuller, chief clerk, reformatory, Frankfort.

And the following inmates of the reformatory, Frankfort:

Atthur L. Young, George Murphy, Ambrose Lynch, Hugh Bruner, Chester Phelps, Marion Rader, Fields Etherton, Harlan Bryant, Hal Jordan, and the evidence of H. V. Bastin, superintendent, reformatory, Frankfort.

Also at a later date at Frankfort we took the evidence of:

George W. Thomas, bookkeeper for the Model Laundry, and former guard, reformatory, Frankfort; Chas. B. Keeler, superintendent broom factory, reformatory, Frankfort; Chas. J. Howes, Chief Clerk of House of Representatives; Clarence Roberts, former stationary engineer, reformatory, Frankfort; Ruel Crisp, former attendant, Feeble-Minded Institute; Rosie Cheek, matron, girls' hospital, Greendale; Dr. H. G. Sanders, physician, Burgin, Ky., former assistant physician, Feeble-Minded Institute; J. F. Glass, division officer,

Greendale reform school; Herman Green, former engineer Feeble-Minded Institute; Chas. M. F. Striger, former inmate reformatory, Frankfort; Chas. E. Wright, formerly in charge claims department, Auditor's office, and was Assistant State Inspector and Examiner.

All the testimony is returned with this report, together with the former report made and the testimony taken of the investigating committee, appointed in 1922, which report we adopt as a part of our report.

We are also returning herewith report of former State Inspector and Examiner James, made on these institutions in 1921, and make it a part of this report.

We are of the opinion that the Board of Charities and Corrections in the main is made up of men and women who are high-minded and in the ordinary affairs of life efficient; yet, we are driven to the opinion that upon their visits to the institutions, which are not frequent, that all the parties connected with the institutions, together with the inmates of the institutions, are put on dress parade. As a matter of fact, from the very nature of things, they cannot and do not know of the inner workings, purchase of supplies, the intrigue entered into in doing this, or the punishment inflicted, as evidenced by the testimony of Mr. Sackett, a member of the board.

We are convinced that the office of commissioner should be abolished, that a general superintendent with less powers should be appointed by the Governor and confirmed by the Board of Charities and Corrections; that the non-partisan feature should be kept; that the board should be made up of persons representing both parties; and that more Kentuckians, be they Republicans or Democrats, who have more interest in their state and its taxpayers, should be put in responsible positions now held by non-residents, and especially is this true of those non-residents who are shown in this evidence to be inefficient and unworthy of the trust placed in them by the confiding Board of Charities and Corrections.

We realize that this report will not meet the approval of the metropolitan press of the state, and as men always do we hesitate to draw upon our heads the vituperation that possibly will follow this, and only a sense of duty to the taxpayers of Kentucky, the duty that we owe the unfortunate inmates of these institutions, and a full realization that our oath would not be kept nor our duty performed if we said less.

All of which is respectfully submitted.

(Signed) ALLIE W. YOUNG, *Chairman.*
(Signed) W. B. BUSH, *Member.*
(Signed) G. L. DRURY, *Member.*
(Signed) J. B. CLARK, *Member.*
(Signed) R. J. CAIN, *Member.*

Said evidence is as follows, viz.:

IN RE: INVESTIGATION OF THE PENAL AND CHARITABLE INSTITUTIONS OF THE STATE OF KENTUCKY.

The following resolutions were duly adopted by the two Houses of the 1924 session of the present Legislature, to wit:

Resolution providing for the investigation of the penal and charitable institutions of the Commonwealth of Kentucky.

Whereas, the Governor of the Commonwealth of Kentucky, in his last message to the General Assembly, called attention to the fact that it was necessary to have an investigation of the affairs of the penal and charitable institutions of the state, now, therefore,

Be it resolved by the Senate of Kentucky, the House of Representatives concurring, that an investigating committee be appointed consisting of three (3) members of the House of Representatives, to be appointed by the Speaker, and two

(2) members of the Senate, to be appointed by the President of the Senate. Said investigating committee shall

1. Make a full investigation as to how said institutions are now operated as compared with their former management.

2. Whether they are being managed in a non-partisan, non-political way.

3. Whether efficiency or other things count for positions secured or held, and the former residence of each employe.

4. As to how the present appointees received their appointments.

5. Whether discrimination has been shown between Republicans and Democrats.

6. Whether or not the employes of these institutions engage in partisan politics.

7. As to whether the employes have increased or decreased under the present management, as compared with others, and the necessity of such changes, if any.

8. They will also report as to the treatment accorded prisoners in the penal and inmates in the charitable institutions.

9. Whereas, no report has been made of the expenses of these institutions, the committee will ascertain the amount expended for each institution and the purposes for which same was spent.

10. The committee will make a full investigation of the entire affairs of these institutions as may appear to them necessary for the proper enlightenment of this body as to the real conditions; and for this purpose the chairman of said committee shall have power to summon, and, if need be, issue compulsory process for witnesses and records, and swear said witnesses, and any subpoena or process shall be served when signed by the chairman of the committee or by any officer of this Commonwealth authorized to serve a summons.

11. Said committee is directed to have all the evidence

taken in shorthand and same transcribed upon a typewriter, and for this purpose may employ a stenographer.

12. The committee will make its report not later than March 1, 1924, to the General Assembly, together with the evidence taken in said investigation.

Be it further resolved, that the chairman of said committee shall have the right to draw warrants upon the State Auditor for the payment of any and all necessary expenditures, not to exceed the sum of $1,500.00, that the said committee may incur in making a full investigation of the above named institutions.

Under the authority of the above resolution the following men were appointed to serve as such investigating committee: Allie W. Young, chairman; and J. G. Clark, from the Senate; G. L. Drury, W. B. Bush and R. J. Cain, from the House.

The first session of the committee was held in the Senate chamber at the State House, on Saturday, February the 9th, 1924, at one p. m.: Present, Chairman Young, and Messrs. Drury, Clark and Cain.

Harry G. Bright was appointed by the committee to take down and transcribe the evidence to be given before the committee.

The first witness to appear before the committee was Mr. J. P. Byers, who being first duly sworn, responding to questions by Chairman Young, made the following answers:

1. I presume you understand, Mr. Byers, that this is a committee appointed by the House and Senate to investigate the charitable and penal institutions in the state?

A. Yes.

2. Will you please give the committee your full name and present residence?

A. Joseph P. Byers, Frankfort, Ky.

3. How long have you lived in Frankfort?

A. Since March, 1920.

4. What is the style, if any, of the office or position you now hold?

A. Commissioner of Public Institutions.

5. How long have you been commissioner?

A. Since March 19, 1920.

6. You were appointed on that date?

A. That was the date I took office; yes,sir.

7. I believe under the law as far as I have examined it, you are appointed by the Board of Charities and Corrections. Is that correct?

A. Quite right.

8. Who were members of the board at the time you were appointed?

A. Edward W. Hines, of Louisville; Henry P. Barret, of Henderson; Mrs. Lafon Riker, of Harrodsburg at that time; Miss Lucy Blythe Simms, of Paris; Fred M. Sackett, of Louisville; E. S. Tachau, of Louisville, and Dr. W. A. Ganfield, then President of Centre College.

9. Where did you live, Mr. Byers, prior to March 19, 1920?

A. I came to Kentucky and lived in Louisville from November, 1919.

10. Then you have lived in Louisville from November, 1919. Do you remember the date?

A. No.

11. From then until your appointment in March?

A. Yes, sir.

12. You were appointed in March, 1920?

A. Yes, sir.

13. Where did you live prior to that?

A. Philadelphia.

14. What business were you engaged in in Philadelphia?

A. I had been for four years preceding that in charge

of the work of the National Committee for Feeble-Minded as executive secretary and managing director for the Working Home for the Blind, in Philadelphia, the latter during 1919 only.

15. Any other?

A. That is all.

16. Did you hold any other position at that time in connection with this work?

A. I had been for many years and continued to be up to the time that I came to Kentucky to take up the commissioner work, the general secretary of the American Prison Association.

16. What sort of an organization is the American Prison Association?

A. A national organization, international really, made up of representatives of penal and reform institutions of the United States, Canada and Cuba, those who are interested in criminal law—lawyers, judges—largely made up of the officials of penal and reformatory institutions who hold annual conferences and discussions relative to management of penal and reform institutions and administration of the criminal law.

17. Did they have any subcommittees known as the executive committees?

A. Yes, sir; subcommittee and standing committee.

18. Is there a committee known as the executive committee?

A. There is.

19. Were you a member of that?

A. As general secretary I was an ex officio member.

20. What duties did the subcommittee perform?

A. They have the business organization between meetings; that is, they have the power of the board of directors at such times as the congress is not in session. The commit-

tee determines the program, and place and time of the annual meeting.

21. Anything else?

A. That is about all.

22. Did they recommend or seek to find employment for the people of the penal and charitable institutions of the country?

A. Never.

23. Do you know whether they have ever recommended anybody?

A. Not to my knowledge.

24. You don't know it, that they have?

A. As an association I am quite free to say that the association has not made any such recommendations.

25. Did you know anything about any of the members recommending anybody?

A. That is a matter with the personal members.

26. Do you know of any of the members recommending anybody for a position?

A. I have no question but that they have.

27. I say, do you know whether they have or not?

A. Yes; a good many of them recommended myself, if that is what you are getting at.

28. What made you think I was?

A. I thought you were driving at that.

29. Do you know whether they recommended you or not?

A. For what?

30. For your present position?

A. Not to my knowledge.

31. Do you know who did recommend you?

A. I don't know that I was recommended by anybody. I may state that in as much as I wasn't an applicant seeking

this position of commissioner, there was no occasion for anybody recommending so far as I know.

32. What salaries did you receive, Mr. Byers, in the position you held prior to coming to Louisville?

A. Five thousand dollars as executive secretary for the National Committee of Feeble-Minded. There is no salary attached to the secretaryship of the American Prison Association.

33. Any other salary?

A. They usually pay a salary of five hundred dollars as a honarium, not always, to the secretary by vote of the association.

34. How long had you known Mr. Barret before coming to Kentucky?

A. I think I knew Mr. Barret; met him first possibly in 1909; 1908 or 1909.

35. Where?

A. In Florida.

36. How long had you known Mr. Hines?

A. I had never met Mr. Hines until I came to Kentucky in the late fall or winter of 1919.

37. How many members of the institutions, the Board of Charities and Corrections, had you known or met prior to November, 1919?

A. I had met Mr. Tachau as chairman of the Kentucky Commission on the Feeble-Minded incidental to my work on the feeble-minded with the National Committee, on the occasion of the visit I made here to consult with him regarding the feeble-minded of Kentucky. I think I met Mr. Sackett about twenty years ago in Ohio; had a casual acquaintance with him only. I think I had never met any other member of the board as then constituting it before I was appointed.

38. Was that acquaintance intimate, or otherwise?

A. Not at all; those acquaintances were casual.

39. How much time had you spent with the gentlemen prior to that—would you say your acquaintance drew you together?

A. Prior to my coming to Kentucky?

40. Yes.

A. Only a week or two, or a little less, having met Mr. Barret at a camp in Florida. That was the only time, I believe, that I had seen Mr. Barret up to the time I came to Kentucky. Mr. Sackett I saw occasionally on the street in Columbus; lived at the same hotel with him; saw him coming to and fro and had a speaking acquaintance with him.

41. What occasioned your removal from Pennsylvania to Louisville?

A. I was asked to come to Louisville to assist in the preparation of the law organizing the penal and charitable institutions of Kentucky.

42. Did the members of the board invite you?

A. I was first asked to go to Kentucky for that purpose by Mr. Bingham and Mr. Hert.

43. Did they tell you that was what they wanted you to come for?

A. Business.

44. Neither of them were members of the board?

A. No, there was no board at that time.

45. Did either one of them have any position with either of the prisons or the charitable institutions, that you knew of, at that time?

A. No.

46. Mr. Bingham, that you spoke of; is that Judge Bingham?

A. Yes, sir.

47. Judge Robert W. Bingham, owner of the Times and Courier-Journal?

A. Yes.

48. Mr. Hert was—

A. A. T. Hert. He is dead now.

49. Did you draw these laws?

A. I conferred with the board that had been appointed early in December by Governor Morrow—a board of five under the old law—constantly during my time in Louisville.

50. Did you prepare or suggest the preparation of the present act, or any part of it?

A. I certainly did; I was consulted on the entire act.

51. Did you know then, or did you have any information, that you would probably be chosen as commissioner?

A. Not the slightest.

52. No idea of that?

A. Not the slightest idea.

53. Do you know how you came to be appointed: nobody recommended you, you say?

A. I can only state to you, sir, that when the law was passed I was then in Florida, and I received a telegram from the chairman of the board asking me to come to Louisville. A week after receipt of that telegram I came north to Louisville, and it was about the time the law was passed, early in March. I was invited by the board appointed under the new act to accept the office of Commissioner of Public Institutions, and accepted it.

54. You lived in Louisville at that time?

A. Yes; at that time.

55. And you were away on a vacation?

A. Yes, sir.

56. Can you give the date of that telegram, or near it?

A. Yes; I think I can hit it within a week. It was near

the first of March; possibly between the 25th of February and the 2nd or 3rd of March.

57. How long had you been in Florida?

A. I had been there for seven weeks.

58. How long did you actually live and stay in Louisville before the time you say you established a residence there and the time you were appointed?

A. I came to Louisville, as I stated, in November.

59. About how long had you actually lived there?

A. Six weeks to two months.

60. You are the commissioner now and have been ever since the act went into effect?

A. Yes.

61. Do you know, or have you any way to tell about the number of deaths that have occurred in the different institutions since you have had charge, if any?

A. I can't give you them from memory. We have the office records, and will be glad to furnish them as to the number of deaths in each institution. That is a matter of routine reports to the office of the board.

62. And you can furnish them?

A. Gladly.

63. And will you do it?

A. Certainly.

64. Will you also state in that report the cause of the death of each one as given in the report?

A. Certainly.

65. You don't know personally—the report that you will file will be the report that was filed with you by the keepers of the different institutions, as I understand it?

A. The report made to the board by the superintendent of the institutions.

66. You don't know personally about this?

A. Certainly not.

67. Is there any punishment administered to any of the inmates in the charitable institutions, or the criminal or penal institutions, for infraction of the rules?

A. Yes, sir.

68. Can you furnish the committee with the number, the names, and the punishment administered?

A. I think so; that is a matter of routine to the board.

69. You have that record?

A. Yes.

70. Will you furnish that?

A. Yes, sir.

71. Do you have anything to do with the making of the report; I mean the report that is made to the Governor?

A. You mean the report of the board?

72. Yes.

A. I assist in its preparation.

73. Have you the records in your office from which those reports are made?

A. Yes, sir.

74. Does it give in detail the matters set out in the report?

A. I think so, quite fully.

75. You could not from memory give the different items that make up this report, could you, Mr. Byers?

A. You mean all the detailed items?

76. Yes.

A. It would be rather difficult to do it off-hand.

77. I take it that you could not do it. What I am driving at is this; that you can't explain in detail the items that go to make up the totals that are set out in these reports?

A. The report sets them out, and every item in that report is on file in the office. I certainly would be rather an

exceptional man if I could give the annual expenditures in connection with a fund of two million dollars.

78. I see a report filed for the biennial period ending June 30th, 1923. That is the last report, isn't it?

A. Yes.

79. I see an item here "State Board of Charities and Corrections, departmental expenses, including salaries, traveling expenses, and office expenses," amounting to $54,532.36. Can you and will you furnish to the committee a detailed statement of the items making up that charge?

A. Certainly.

80. About how long will it take you to get that up, Mr. Byers, do you think?

A. Could get it up in a day or two.

81. I see an item on page 39 of the same report marked "food supplies," amounting to $474,276.91. Can you and will you furnish a like report giving in detail the items that make up that charge?

A. I can and will; will take a little longer to do that than it will the other.

82. I am not asking you that in intimation that it is wrong, but want to know what it is, and the quicker you can do it the more it will oblige us, because we haven't got very long to fool with this.

I see on page 72, under the head "Cash receipts credited, road camps, and miscellaneous," I find the following totals: Feeble-Minded Institute, $12,461.43; Western State Hospital, $2,361.19; Eastern State Hospital, $4,353.93; State Board of Charities and Corrections, $2.82. Will you file a like statement showing in detail the items that make up that?

A. Yes. You would like that for all the institutions, would you not?

83. Yes; I was just calling your attention to those. Whatever those items are; wherever they come from.

A. Sure.

84. Can you, Mr. Byers, give the number of employes, I mean without referring to the record?

A. The number of employes now under the Board of Charities and Corrections?

85. Yes.

A. Approximately eight hundred and forty.

86. Well, can you furnish the name and present address, as well as the address of the employes at the time they were employed?

A. Yes.

87. Will you, and can you, or if you know now you may state it, or furnish to the committee the political affiliation of each employe?

A. I would like to make a statement, if you please. That is information that has never been required, but we will find it out and give it to you.

88. Have you asked for it?

A. Yes, sir; anticipating that you would want it.

89. It has been mentioned then.

Can you, from memory, or from anything, any data that you have, give the amount of expenditures of the different institutions under the board.

A. Approximately.

90. Well, will you do that, Mr. Byers?

A. State Reformatory, $350,000; the Central Hospital, rising, $400,000; the Reformatory at Eddyville, $190,000; Eastern and Western Hospitals, rising, $300,000; the Houses of Reform, $200,000; the State Board offices, $54,000.

91. Mr. Byers, have your expenditures during the four years that you have had charge of the institutions exceeded or not the receipts of the institutions taken as a whole?

A. They have exceeded them.

92. Can you tell approximately how much in the four years; I mean a lump sum?

A. I can furnish you all that from the office records. It is in the reports.

93. I get lost in these reports. Go ahead; put it year by year.

A. Expenditures for the four years have run approximately eight million dollars, and the income has run one million three to four hundred thousand dollars, total income.

94. So that leaves a deficit of about six million six hundred thousand dollars during that period?

A. On that basis; yes, sir.

95. Have you ever had occasion to examine, or have you examined, the expenditures and receipts of the institutions say for a period of ten or fifteen years prior to the time you took charge?

A. Yes, made an effort to do so.

96. Well, I will read you some figures, say taking a period of twenty years back of your time; I will say for six years back of your time: Expenditures over receipts $147,291.26. Is that anyways close to it?

A. I don't know.

97. Well, then, coming down for the next six years period. Now for the penal institutions say for fourteen years before, do you know whether or not that their receipts over expenditures were a net gain of $16,608.89?

A. No.

98. You don't know that?

A. No.

99. Now taking then the last eight years in the penal institutions, in that eight years do you know whether there was only a deficit of three hundred and sixty-three thousand and seven hundred and fifty-two dollars and fifty-two cents for the entire time?

A. No.

100. Do you know the number of prisoners during that twenty years that were actually cared for or kept under the control of the boards as then formed as compared to the number that you have had since?

A. No, fluctuating.

101. Well, beginning in 1899 I will ask you if you know there were eleven hundred and ninety-nine prisoners or approximately that number at Frankfort, and four hundred and eighty-six at Eddyville?

A. No.

102. I will ask you whether you know that for the year 1900 there were eleven hundred and ninety-three prisoners at Frankfort and five hundred and twelve at Eddyville, do you know about that?

A. No.

103. Do you know that in 1901 there were twelve hundred and thirty-five at Frankfort and five hundred and forty-nine at Eddyville; know about that?

A. No.

104. And that in 1902 there were twelve hundred and seventy-five at Frankfort and five hundred and forty-nine at Eddyville; know about that?

A. No.

105. And that in 1903 there were twelve hundred and forty-five at Frankfort and five hundred and fifty-three at Eddyville?

A. The same answer.

106. And that in 1904 there were thirteen hundred and five prisoners at Frankfort and five hundred and eighty-eight at Eddyville; do you know about that?

A. Same answer.

107. And that in 1905 there were twelve hundred and

seventy-seven prisoners at Frankfort and six hundred and forty-nine at Eddyville; know about that?

A. Same answer.

108. I see that you don't know anything about them; if you don't know anything about them there is no use in proceeding any further.

You took charge in March, 1919 or 1920?

A. 1920.

109. Well, do you know that in 1921 there were only eleven hundred and one prisoners at Frankfort and three hundred and seventy-three at Eddyville?

A. That is about right, I presume.

110. And that in 1922 there were thirteen hundred and twelve at Frankfort and four hundred and thirty-five at Eddyville; do you know whether that is correct?

A. I presume that is the daily average for the year.

111. And that in 1923 there were fourteen hundred and ninety-one prisoners at Frankfort and five hunded and fifty-two at Eddyville; is that approximately correct?

A. Yes.

112. Well, now if there is any statement—I don't know now of anything else that I want to ask you at this time. If there is any other statement that you desire to make to the committee I will be glad to hear it.

A. I don't think, Mr. Chairman, there is any special statement I wish to make to the committee except to express the hope that the committee will thoroughly go into the administration of the public institutions of the Commonwealth during the past four years, that they will go into it thoroughly in every department and in following out the directions of the resolution make such investigation that the committee will personally visit the institutions to inform themselves as to the work that is being done.

113. Well, do you think that the committee in going down and walking through these places could tell anything about it?

A. That would be the hope, that you might; whether or not you would, I don't know; I question.

114. There has been suggested to me to inquire if you know the number of employes you now have in your office?

A. There are twenty-four on the pay-roll in my department; the office proper.

115. Is there anybody that is paid that the record there don't show?

A. No, I don't see how that could be.

116. How many matrons have you at the reformatory?

A. There are four, I believe.

117. How many parole agents?

A. There are three, or four.

118. Do you keep in your office a book showing the meetings of the Board of Charities and Corrections and the action that they take?

A. I do.

119. Would you mind to produce that book?

A. At the committee's pleasure.

120. Does that show all the actions taken by the board?

A. Complete minutes of the board; yes.

121. Do you know Miss Mildred Anderson?

A. I do.

122. Is she on the pay-roll?

A. She is not.

123. Has she ever been paid anything in the way of expenses by you, or anybody connected with the institution that you know of?

A. She has not.

124. I believe I will ask you now about this: Who does the purchasing for the institution?

A. I would have to make a statement to you to answer that so that you would understand how the business of the state is done.

125. If you know who does that, or how many, just state their names, and that will settle that, then you can make any explanation of it that you want to.

A. There is no individual purchasing done. The purchasing of supplies is first made, those supplies that can be purchased on joint contract, on the estimate made by each institution, submitted to the central office in advance. Those supplies include food, clothing, chinaware and other articles that we have been able to standardize and purchase on joint contract. The needs of the institutions are tabulated and placed on individual sheets with a clear cut statement of each item, and sent out to prospective bidders. There is no restriction on anyone who may want to bid on the state's business. These bids, when closed, are opened and tabulated in the office; then a committee of the board sits and awards those contracts. In the case of the state dietitian they have samples of the food for inspection and sampling.

126. How do they sample them; smell them?

A. No; they are sent to Lexington for laboratory analysis.

The supplies that are not covered on contract the request for those supplies is made on what we call a supplementary requisition made up at the institution by the receiver on the basis of quotations that he has received from a number of bidders and the quotations made by those bidders accompany the supplementary estimate that is sent to the central office and that supplementary estimate is handled through the estimate clerk, checking prices, etc., and when approved is merely the authority of that department through its receiver for that institution to order the goods through the lowest and best bid

that the institution has received. The contracts and the supplementary estimates take care of all the obligations, the financial obligations, that the institution may incur except those emergency purchases or expenditures that must be made through the medium of a petty cash fund, which each institution carries, and which are audited monthly and sent through the auditor each month for reimbursement.

127. Is any of the petty cash used in any other way?

A. Only for merchandise.

128. Are you sure that that is all that it is used for?

A. It is used to pay salaries of officers or employes dismissed or resigned from the service, and to pay for merchandise; supplies that must be bought, equipment, tools, freight, postage, etc.

129. You give five dollars to each prisoner leaving the penal institutions, don't you?

A. The law requires that.

130. Do you use it for that?

A. Yes.

131. That is the way to answer it. Did you ever pay anything else out of that petty cash except the things that you have named?

A. There are a hundred different items that come under petty cash. I have just tried to indicate to you the merchandise items.

132. What is the largest item that you have ever paid out of petty cash, and that you have not enumerated here?

A. I don't recall.

133. Ever pay a bill to Rogers Brothers out of that?

A. No; I think not.

134. Ever pay any bill for either furniture or silverware out of it?

A. That takes us back—

135. Answer my question.

A. That wasn't paid out of the petty cash fund. It was paid out of the fund that had accumulated at the state reformatory.

136. What was that?

A. What we inherited from the old board.

137. Wasn't that petty cash?

A. I don't know what they called it. The fund was there.

138. The fund was there, you say, but you don't know what they call it?

A. I don't recall.

139. Then you don't know about it? You say you do, and if so, state what they called that fund.

A. I have already stated that I don't know what they called it.

140. Do you know—were you present, in other words, when the body of an old preacher from Henderson was shipped to Louisville to a medical college there?

A. No.

Judge Humphrey here explained that there was a suit now pending for twenty-five thousand dollars, which was a matter of court record, but that he didn't suppose Mr. Byers had any personal knowledge of it.

141. You don't know anything personally about this suit for twenty-five thousand dollars against the institution, do you?

A. Nothing personal.

142. Do you know anything personally about an old lady patient at the institution being scalded to death in the bath tub? Do you know personally about that?

A. No.

143. Do you know who the attendant was that attended her?

A. No.

144. Do you know about the gardens and farms down there; how they are producing, and cared for as compared with what they were producing formerly before the board took charge?

A. I have made no comparison of the present with the past.

145. Do you know how many clerks and stenographers there are now in the superintendent's office of that institution at Hopkinsville?

A. Superintendent and secretary and I think two stenographers.

146. Altogether this affidavit says six.

A. It can be verified from the record.

147. Do you know how many people formerly performed the duties that the six are now required to perform.

A. I don't know.

148. Do you know anything about the patients in this institution; old persons suffering from senile dementia, being sent to the county judge and put off as paupers?

A. I know that when the overcrowding of the instituiton becomes unbearable they are advised to return such cases to the almshouse to the county they came from.

149. Do you know whether that is done?

A. Yes, in a few cases, probably.

150. How many matrons are there now? Do you know?

A. They are authorized to have one matron and and assistant matron.

151. If there are three there now, one is unauthorized?

A. Yes, as a matron.

152. Or assistant?

A. Yes.

153. Have you a gentleman in the employ of the board

who teaches music; teaches them to blow the horn? Is there such a person as that?

A. Do you mean is there a bandmaster in the institution?

154. Well, we will call him a bandmaster; the fellow that teaches them to beat a drum and blow a horn.

A. Yes, we have a bandmaster.

155. Where is he; have you one in this institution here?

A. Not as such. They have had a bandmaster at the Greendale school for boys.

156. Isn't there anybody on the pay-roll down here that performs that duty now.

A. Not now; was for a while.

157. Well, is there one at Greendale?

A. Yes.

158. How many have you got?

A. I think there is just one in the state.

159. Haven't you got one for the ladies, too; the women's department?

A. No.

160. What's the man's name that is bandmaster?

A. Can't give it to you.

161. Do you know where he lives?

A. Lives at Lexington.

162. Do you know what he is paid?

A. No; eighty dollars a month, I think.

163. Is he married or single?

A. I don't know.

164. Know whether his wife is also a bandmistress; I reckon you would call her that; know about that?

A. Now that you refresh my mind, I think he was married in the last month or two, and his wife may be employed; I don't know about that.

165. Now, don't you know, as a matter of fact, that there is such a man and his wife; that he teaches the male members and she the female members there?

A. Maybe so; probably not so.

166. I wish you would find out about that and let us know.

A. Yes.

167. I will ask you to find out, too, if this bandmaster is not attending the law school at Lexington, that you have got on the pay roll.

A. All right.

163. You were talking a moment ago about purchasing, showing all the checks and different ways, etc., but it all comes down to this: Who really does the purchasing?

A. The board, by committee, by contracts.

169. Well, has the board purchased since you have been there, any shoes?

A. Yes.

170. Do you recall one purchase of about eleven thousand pair at one time? Do you recall a purchase of that amount?

A. Not specifically, no.

171. Stoker contract, and such contract as that?

A. We contract for a stoker system for the boilers of the institution for the combustion of fuel.

172. How do you let that contract; to bidders or just pick you out a man?

A. Bidders.

173. Do you award that to the lowest bidder?

A. That would depend largely upon the advice of the consulting engineer and the committee.

174. Yes or no.

A. No.

175. Do you know a man by the name of James B. Wilhelm, from Paducah?

A. No.

176. Do you know whether he ever bid on these contracts or not?

A. I don't know.

177. Do you know a gentleman by the name of Owens? Think he is in the Confederate Home, formerly connected with the asylum at Lexington?

A. I think not.

178. You have a man by the name of Jillson, superintendent at Lakeland, and a Dr. Durham at Hopkinsville?

A. Yes.

179. Do you know a gentleman by the name of Emmitt O'Neil?

A. I don't recall him.

180. Do you know a gentleman by the name of G. F. Campbell, formerly an employe of this institution?

A. Yes.

181. Do you know where he is now?

A. He was employed at the Eastern State Hospital, but was discharged.

182. Know where he is now?

A. Do not.

183. He was from Pennsylvania, too, wasn't he?

A. I don't know.

184. Have any of the employes died since you have had charge of the institution?

A. We don't get any report of the employes that die; possibly some may have.

185. Do you know of any of your own knowledge?

A. I don't recall any.

186. Do you keep the address of each employe; that is, their former address?

A. It is customary to report their places of residence when appointed; that is about all, Mr. Chairman.

187. I recall seeing in the press at one time a statement that there was one of the employes who died and was kept in some undertaking establishment for a week or two before they found out where to ship his body? Do you know whether that was correct or not?

A. I don't know.

188. Is there a gentleman by the name of Morgan employed down here, on your pay roll?

A. Yes.

189. What are his duties?

A. Superintendent of schools.

190. In the reformatory?

A. Yes.

191. Well, what are his duties?

A. To organize, direct and supervise the work of the school in the reformatory.

192. Is his wife also employed there?

A. She is.

193. What are her duties?

A. She is matron in the women's department.

194. You call it matron; what are her duties?

A. Instructor and teacher. She instructs in some rooms that are being put in there in handicraft work.

195. What salary is being paid Mr. Morgan?

A. Eighteen hundred dollars a year.

196. Do you know that he is attending school himself?

A. Think he is taking a post-graduate course, or some course, at the University; understood he was.

197. And that is the man that is teaching down there?

A. Yes.

198. What do you pay his wife?

A. Same as a guard; from ninety to a hundred dollars a month, depending upon her services; starts at ninety dollars.

199. Now, Mr. Byers, how early do you think that you can furnish us with the lists we have requested?

A. Will put the force at work on it and get it to you as soon as possible; will take several days to get these details. I presume you have seen the tables, statistical and financial, that are put in the report.

200. Saw it for the first time today.

A. If you want more details than are there, can get it to you down to the last detail. If you have not examined the statistical and financial figures in the back part, and will indicate the figures you want, we will put the bookkeeper to work on it, and give you the details.

201. That is what I want; the different items that go to make the credits and debits.

A. Let me suggest this to you: I will put the bookkeeper on them and as soon as I find out about it, I will let you know in regard to the time it will take.

202. You were a witness at a former investigation; a personal investigation of this matter of these institutions, were you not?

A. Yes.

203. Were you present during the entire hearing?

A. I think so.

204. Do you remember of a guard by the name of Thomas who testified in that hearing with reference to some negroes that had assaulted him down there?

A. I don't recall his testimony; recall that Thomas testified.

205. Where is Thomas now, do you know?

A. I don't know.

206. After he gave his testimony in that case, how long did he remain employed?

A. I don't know.

207. Isn't it a fact, Mr. Byers, that he was discharged immediately after the adjournment of the Legislature when that investigation took place?

A. I don't know, sir; can't give you the date of his discharge. The records will show it, however.

208. Do you know why he was discharged?

A. I can give you the date and the reason of his discharge by the superintendent from the records; don't know it personally; don't recollect it.

And further the witness sayeth not at this time.

Dr. H. E. Nelson, being called as a witness to testify before the committee at the same time and place, and being first duly sworn by the chairman, testified as follows, in response to questions by the chairman:

(Dr. H. E. Nelson)

1. Have you been summoned here?

A. No.

2. Are you connected with the institution in any way?

A. Connected with the office of the board.

3. What is your job?

A. Auditor for the board; for the board and institutions.

4. Where do you live?

A. Frankfort.

5. That is, you oversee the keeping of the books?

A. Have charge of all the accounting for the board and for all the institutions.

6. What was your business prior to this?

A. Prior to coming with the board?

7. Yes; what was your business?

A. I was cost accountant for the Louisville Taxi and Transfer Company, just prior to coming here.

8. Any other business?

A. Well, I am a physician by profession.

9. You don't belong to the rubbing doctors, do you?

A. I am an osteopath.

10. What do they pay you?

A. Two hundred dollars a month

11. Married or single?

A. Married.

12. Wife employed?

A. By the board, no, sir.

Further the witness sayeth not.

Mr. J. P. Byers, being recalled and questioned further by Chairman Young, testified as follows:

(J. P. Byers—Continued.)

109. Could you furnish us, right away, the names of the convicts here; the ones here in this particular institution who have been punished?

A. I would be glad to furnish you that if I am sure that I understand what you mean by punishment. You mean all the men who have been reported for any infraction of the rules, and disciplinary measures taken?

110. Yes; either corporal punishment or otherwise.

And also of the Feeble-Minded Institute; that is here too, isn't it?

A. Yes.

111. Who are the parties in charge up there?

A. Dr. Taylor.

112. What are his initials?

A. T. L.

113. Where is he from originally?

A. I understand he came from Indiana.

114. Is there anybody up there that lived in Kentucky; any Kentuckians?

A. I think so; quite a few.

115. Well, give us the names. Don't want facts at all; that is, from you on that; give us the names—well, you don't know, I guess?

A. No, but I can get them for you.

And further the witness sayeth not.

No further witnesses were heard at this time and place.

Sunday, February 10th, 1924, the committee went to Lexington.

Monday, February 11th, 1924, the committee went to Greendale to inspect the Kentucky Houses of Reform.

Investigation resumed Monday morning, Feb. 11, 1924, at eleven a. m., at Kentucky Houses of Reform, Greendale, Ky.

(Present, Chairman Young and Messrs. Drury, Clark and Cain, members of the committee.)

(O. L. Gumm.)

(Questioned by Chairman Young.)

1. Please give the committee your name?

A. O. L. Gumm.

2. What position do you hold with this institution?

A. Guard.

3. What kind of a guard?

A. Have charge of the disciplinary barracks in the daytime.

4. How long have you been here?

A. Been here twice; since 5th of December, 1919.

5. As I understand it, you have charge of the place where the boys are punished for disobedience and infraction of the rules, etc.?

A. Yes, sir; in the daytime.

6. I noticed over there this morning that you had quite a number of boys standing toeing a line. What do you call that? Is that toeing the mark?

A. That is a mark; yes, sir.

7. How long do you generally keep them standing in that way; the way that we saw them standing this morning?

A. Fifty minutes or an hour.

8. I mean the arrangement?

A. They go on at seven in the morning and off at six at night.

9. Have you ever had any of them toe the mark longer than that?

A. Why, once in awhile.

10. The question was, have you ever had anybody standing there longer than from seven to six?

A. Yes, sir.

11. How much longer?

A. An hour.

12. Any longer than that?

A. No, sir.

13. Did you ever administer any other punishment, or see it administered?

A. Right smart while ago, we have.

14. Will you give the committee some idea of what you call a right smart while ago as to the length of time?

A. Can hardly say how long.

15. Give your best recollection, Mr. Gumm, or your best knowledge just how long it has been now since there has been punishment administered to anybody that you know of?

A. It had been—

16. The last punishment?

A. About four or five months ago.

17. What was done?

A. He was strapped.

18. Describe that strap?

A. It is a piece of leather about two or two and a half feet long.

19. How wide?

A. About five inches wide.

20. How thick?

A. 'Tain't as thick as my shoe leather; don't know how thick you call that.

21. Where is that strap?

A. I don't know.

22. When did you see it last?

A. Been a month or more ago.

23. Where did you see it last?

A. In the barracks.

24. Where in the barracks?

A. In the place where we keep the supplies.

25. Do you know whether it is there now or not?

A. It isn't there now.

26. Do you know when it was taken out?

A. Not exactly.

27. What is your best recollection?

A. About a month ago; think Mr. Quinn came down there and got it about a month ago. I am off at meal time. He might have got it then.

28. Do you know of any other punishment that has been inflicted here?

A. Nothing, only standing on the line.

29. Do you know of any boy that has been fed on bread and water?

A. Yes, sir.

30. How many?

A. Two on bread and water now.

31. How long are they kept on that?

A. Five days.

32. What two are they? Give their names, please.

A. Norman Jackson, and the other one is—he is a nigger—Anthony something; can't recall his name.

33. Isn't it a fact, Mr. Gumm, that the punishment of standing at times injures these boys?

A. Sir?

34. I say, isn't it a fact that the punishment of standing, at times, injures these boys?

A. I think not.

35. That is your judgment?

A. Yes, sir.

36. Do you know a boy by the name of Jones that was here from Louisville?

A. What was his first name?

37. William Jones.

A. Yes, sir; I knew him.

38. Did he ever stand on the line?

A. Yes, sir.

39. Do you know whether he claimed to be injured from that, or not?

A. Why, I don't think it caused the injury.

40. Do you know whether he claimed to be injured from that?

A. No, I don't.

41. Never heard him claim that?

A. No, sir.

42. Never heard of it?

A. Some of them around here told me that he was.

43. Then you have heard that he charged that he was injured?

A. Why, it was hearsay.

44. I say, you have heard that?

A. Some one said so; think some of the boys said so.

45. Isn't it a fact that the boy's parents are threatening suit?

A. I don't know.

46. Have you heard that?

A. No, sir.

47. What is the severest whipping now that you can recall to mind that you have ever seen a boy get?

A. Carry McDaniel.

48. When was that?

A. Must have been over two years ago.

49. Who administered that?

A. The Major.

50. Major who?

A. Major Hickman.

51. Mr. John Quinn is the one who administers punishment now, isn't he?

A. Yes, sir.

52. He is an old army man, isn't he?

A. Yes, sir.

53. Where did you live prior to coming here?

A. Green county.

54. When did Major Hickman leave?

A. His time taken effect the first of the year, of this year. He left along in December; 21st of December, I believe.

55. Left the 21st of December?

A. Yes, sir.

56. Do you know where he went to?

A. Glenn Mills, Pa.

57. Did he live up there? Was that his home?

A. He was from Jamestown, Indiana.

58. How long was he here?

A. He came here in August, 1920; I think it was 1920.

(Questions by Mr. Drury.)

59. How severe punishment was it that Major Hickman administered to that McDaniels boy?

A. I suppose he hit him twenty or twenty-five licks.

60. Mark him in any way?

A. Of course it would make a red spot.

61. Didn't bring any blood?

A. No, sir.

62. You say you kept them in line there from seven in the morning until six in the evening? During that time do you feed them anything?

A. Yes, sir.

63. At what times?

A. Three times a day.

64. Then they are off for dinner how long?

A. Just long enough to eat; something like fifteen minutes; they sit down then.

65. What do you feed them?

A. Bread and milk.

66. As soon as they eat that, they go back in line?

A. Yes, sir.

67. And they stand in line from seven in the morning until six in the evening, except ten minutes every hour they take gymnastic drills?

A. Yes, sir.

68. How many in the barracks now?

A. Have nineteen; two of them are diseased with gonorrhea.

69. How did they become contaminated with that disease, do you know?

A. One of them said he got it from another boy; the other one said he got it before he came here; don't know whether it came back on him, or how.

70. Those boys, are they being disciplined for that disease?

A. Just being doctored.

71. Just keeping them in those cells and being doctored?

A. Yes, sir.

72. They sleep in those cells?

A. Yes, sir.

73. Are there any other boys with that disease?

A. Not that I know of.

74. Why keep them there?

A. Have no hospital for them.

75. And they just sit there on the floor there?

A. Sit down or stand up.

76. There are no chairs there?

A. No, sir.

77. How much milk and how much bread do you give them at the noon hour?

A. A pint cup of milk and three slices of bread; same as the boys get in the dining room.

78. What kind of bread is it?

A. Light bread.

79. What kind of bread do you give the boys on bread and water?

A. Same as the rest of them; take the milk away from them.

80. Give them three slices of bread and cup of water three times a day?

A. Yes, sir.

81. All they get for five days?

A. Yes, sir.

(Questioned by Representative R. J. Cain.)

82. Do I understand that these men stand on their feet from seven in the morning until six in the night?

A. Yes, sir.

(Questions by Senator Allie W. Young—Continued.)

83. They never sit down from seven in the morning until six at night?

A. Sit down to eat.

84. Any other time?

A. If catch them sitting down, keep them up an hour longer every day for a week.

85. How long does punishment of that kind last?

A. Unlimited; depends upon how they act up there; whether they laugh or talk.

86. What is the shortest time for doing something on the ground?

A. Fifteen days.

87. That's the lightest punishment?

A. Yes, sir.

88. How long is the longest time you have kept a man standing up there?

A. That is a hard question to answer.

89. Give your best judgment as to how long you have known a boy to be in there.

A. I think we had one there for sixty days.

90. In succession?

A. Yes, sir.

91. You say they are kept there for fifteen days? Does this punishment continue over Sunday, the same as any other days?

A. Yes, sir.

92. He has eleven hours on his feet the least that is administered to him when he is sent to the barracks?

A. Ten hours.

93. From seven to six?

A. Ten minutes taken out for every hour.

94. But he is on his feet?

A. Yes, but in a different position.

95. He is up on his feet from seven in the morning to six in the evening except he has about ten minutes to eat his bread and drink his milk?

A. Yes, sir.

96. Fifty minutes he is standing on his feet and ten minutes of each hour he is doing gymnastic drill?

A. Yes, sir.

97. Fifteen days is the shortest, and you have known it to go as high as sixty days?

A. Yes, sir.

(Questioned by Representative G. L. Drury.)

98. Are they on bread and water; the ones that are in there now?

A. Two of them.

99 And the others are on milk and bread?

A. Yes, sir.

100. And that is all they get except milk and bread, except when they are unruly, then they get bread and water?

A. Yes, sir.

And further the witness sayeth not.

The testimony of Alfred Runyon, also taken at the Kentucky Houses of Reform, at Greendale, on Monday, February 11, 1924:

(Alfred Runyons.)

(Questioned by Chairman Young, of the Committee.)

1. What is your name?

A. Alfred Runyons.

2. What is your age?

A. 17 the 9th of February last.

3. How long have you been here?

A. Been here four months yesterday.

4. Have you had any demerits since you have been here?

A. No, sir.

5. Had any reports since you have been here?

A. Yes, sir; had one.

6. State to the committee the cause of it and the circumstances about it; go ahead and tell the story.

A. A boy let a bad odor in the dormitory and the boys got to laughing about it and they put us up on line for it. Then a boy put a broom up behind a man's chair; propped the chair up while he was asleep, and the boys got to laughing about it, and they put us in line for it.

7. Who was the man?

A. Tomlinson.

8. What was his business up here; what was he supposed to do?

A. He was supposed to watch the boys and keep them from trying to break out and run off.

9. Would he go to sleep up there?

A. Yes, sir; would go to sleep.

10. Do you know where that man is now?

A. No, sir; I don't know; know he ain't night watchman here now.

And further this witness sayeth not.

The testimony of Forrest Glass, also taken at the Kentucky Houses of Reform, at Greendale, on Monday, February 11, 1924:

(Forrest Glass.)

(Questioned by Chairman Young, of the Committee.)

1. Give the committee your name.

A. Forrest Glass.

2. What position do you hold here?

A. I am division officer; when I don't have my division I used to do all the carpenter work, putting on locks, repair-

ing locks on doors and windows, and some of the painting, when we haven't got a painter.

3. When not engaged in that, what do you do?

A. I am busy outside of that with my division, report work and painting; first one thing and then another; general work. Generally work from 5:45 to 7:30; sometimes take an evening off.

4. How long have you been here?

A. Since the 18th day of July, 1920; since Weaver was superintendent.

5. Charles P. Weaver?

A. Yes, sir.

6. Was he superintendent in July, 1920?

A. Yes, sir.

7. With reference to employes here when you came and now, as to numbers, were there more or less?

A. More—we have— for instance take the storeroom; we have three men there where one used to do it.

8. Go ahead.

A. Truck driver and stenographer and Mr. DeWitt. Mr. Denny Crow used to do that by himself, and had a boy to deliver the goods. Then there were eight kitchens here, where we now have only three.

9. With reference to the office force here?

A. I think it is more.

10. You don't know about that?

A. It is more, but I could not say how much more. They have a music teacher here now and a bandmaster. They had neither of these then; that is two more.

1. Who are they?

A. Mr. McDonald is bandmaster here, and works at the Eastern State Hospital, too. I believe he is on two pay rolls. Mrs. McDonald plays the piano and runs the library.

12. Go ahead; any others?

A. Well, they have a military instructor and two in the office, when there used to be one; one in the barracks is another one.

13. Well, do you think of any others?

A. No, I don't think of any others.

14. Now, under the system before the present board took charge, I will ask you if the boys, and the girls, too, for that matter, were not separated and put out at these different cottages around here where they would cook and eat in the same place?

A. Repeat that over?

15. I will ask you if under the present management, I mean before the present Board of Charities and Corrections took charge, didn't you have the boys separated in these cottages where they cooked and ate separated from others?

A. Yes, sir.

16. Separated the worst from the best, and graded them, and so forth?

A. Yes, sir.

17. Does that central system still prevail?

A. No. I had the first division at that time. Since then we have been moved over to cottage C. We used to eat where this office is over here. The small boys were never allowed to play with the large ones.

18. Wasn't it a fact that they tried to separate the most vicious and unruly ones and keep them together and the less vicious from the others, and keep them together?

A. They tried to keep the bigger ones from the smaller ones; the bad boys were punished and kept in the barracks; put in the barracks in the basement; had no disciplinary barracks then.

19. Were they put up and toed a line for days at a time?

A. No; it was a dungeon.

20. Could they lie down?

A. Yes; they allowed them one good meal a day, I think.

21. Since you have been here have there been a good many repairs made about here on these buildings?

A. Well, some.

22. Have they taken any of the foundations out and put in others; fixed it in a different way?

A. Yes, sir; they remodeled cottage B, over there.

23. What do they use it for now?

A. For sleeping room for middle barracks; made a bedroom on top floor, where it used to be a sitting room.

24. Do you know whether there has been quite a good deal of junk—machinery and other things—taken out and sold from the institution, since you have been here?

A. Well, the machinery out of the old shop, which is a garage now, was taken out and sold to Mr. Williams; some kind of a furnace.

25. What Williams?

A. Roger Williams; the man that runs the foundry up at Lexington.

26. Do you know of anything else that has been sold from here?

A. No; they have sold some junk several times, but I didn't know what was in it. Anything else in it, I can't recall it.

27. What was that furnace you refer to used for?

A. To heat iron; to melt iron; use it in iron foundries. I never seen it used.

28. Anything gotten to take the place of that; any new one?

A. No; they haven't used it since I have been here.

29. Mr. Glass, do you know anything about any boys bringing girls on the place here, or anything of that kind?

A. Yes, sir.

30. State who?

A. Mr. White used to work here, and John Isaacs, a boy who used to be an inmate here, and employed here now.

31. Wasn't he paroled?

A. Paroled him to Major Hickman and he has been working here ever since.

32. What about the girls?

A. They used to bring girls out here; used to take the truck to town; bring officers to town and bring the girls back; would bring them over to my room.

33. Night or day?

A. Night. Went into the garage there at night and seen John Isaacs sitting there in the truck with them.

34. Who is supposed to be in charge here at night?

A. You mean on duty?

35. Yes.

A. Well, the superintendent was boss, and the assistant supe. was under him. After I was off duty that was all I had to do, after 7:30.

36. You were not supposed to be on duty and have charge of things at night time?

A. No.

37. Where did they bring those girls?

A. Sometimes over to my room on the other end of the house; they had five beds in there.

38. How long would they stay?

A. I have seen them out as high as eleven or eleven-thirty. Sometimes they would bring them in Mr. White's car. Would set around in the barn and set around in the cars at the barn.

39. They were officers here at the time?

A. Yes, sir; Mr. White and John Isaacs.

(Questions by Representative Drury, of the Committee.)

40. What character of girls were they?

A. I could not say; I did not know them.

41. You never met any of the girls?

A. No; I don't know that I was ever acquainted with any of them.

42. You found them in your room?

A. I would see them in there, and see them in the halls and see them riding around in the car.

43. You knew that they didn't belong at the institution?

A. Some that I seen with them didn't, and some that I seen with them did belong here; they had two ladies that worked here in the girls' department—Miss Wright and another girl that went to Chicago, I believe, with John Isaacs; I mean he went with her while she was here, and before she went to Chicago.

44. Where is Isaacs now?

A. He works at the machine shops as machinist.

45. You work here now?

A. Yes, sir.

46. How long since you have seen these women here?

A. Some time.

47. How long?

A. Five or six months.

48. You spoke of the boys having been put in a dungeon previous to the barracks having been installed. You say in there they were given one good meal a day?

A. My best recollection is that they were under Major Weaver.

49. Are they given one good meal a day now in the barracks?

A. I could not say.

50. You don't know how they are fed there?

A. No, sir.

(Questioning resumed by Chairman Young.)

51. From the general actions, conversation, etc., as far as you heard—the general actions of the parties—did these women that were out here at eleven o'clock, did they appear to be modest, retiring ladies, or rather on the other order?

A. Well, when I seen them setting in the garage down here, back of the dining hall, in a dark place, it surprised me. I knew that a nice lady would not be sitting there in the dark with a boy that has been an inmate anyhow.

And further witness sayeth not.

The testimony of W. W. DeWitt, taken at the Kentucky Houses of Reform, at Greendale, on Monday, February 11, 1924:

(W. W. DeWitt.)
(Questions by Chairman Young.)

1. Will you please give your full name and the position you hold with this institution.

A. William Wallace DeWitt; receiver.

2. What are the principal duties of the receiver?

A. He runs a storeroom here mostly; he handles all the foods, clothing, dry goods, notions and everything that is issued to the institution in here of things to eat and clothing, except the estimates for food for the contract periods, and dry goods and notions. He gets bids on everything that is to be purchased—electric supplies, hardware and plumbing,

etc., secures bids on that; makes up supplemental requisitions and after the superintendent signs it they go to Frankfort to be approved or rejected.

3. Do you have charge of the gasoline?

A. Yes, sir.

4. Under the rules and regulations of the institution here, who do you furnish the gasoline to, under the rules?

A. Furnish it to anybody that the superintendent signs a requisition for—all to state cars; state trucks, Peerless trucks, Ford trucks and superintendent's machine; the girls' superintendent also has a machine—a Ford sedan. Occasionally when a boy gets away and the fellow has to go out in his own machine, we issue him gas sometimes.

5. Well, does the superintendent issue requisitions for anybody else except the ones that you have said?

A. That is all. Occasionally a board member comes up, maybe, and if he is out of gas he will get gas. I have issued gas once to a board member who was out, I believe.

6. Who was it?

A. Mr. Tachau, I believe.

7. He is chairman of the board?

A. Yes, sir. Mr. Byers' car; he gets gas occasionally, if he is up here and runs out.

8. Have you ever had requisitions for anybody else's car; issued gas to anybody else?

A. No; no outsider not connected with the state's business.

9. Anybody else except those you have told connected with the state?

A. That is all that I have ever issued, that I told you about.

10. Let me see—the superintendent, assistant superintendent, chairman of the board, and to the trucks—two trucks. Those are the only ones, and Commissioner Byers;

those are the only ones now that have ever gotten gasoline from you? Is that what you meant to state?

A. For what?

11. For anything?

A. I told you that I had issued gas to employes here that were chasing boys.

12. Outside of those who were chasing boys?

A. That is all. Our dairyman once drove his car way down in the country one day. Think he got some gas.

13. What was he doing down there?

A. Buying a cow.

14. Well, now, in the purchase of supplies, is that always done by competitive bidding?

A. All I ever bought is done by competitive bidding.

15. Well, do you know of any being bought that was not bought that way?

A. The only supplies that I know of that are not bought on competitive bidding are petty cash articles, sometimes; merchandise articles—something like that.

16. Do you know a firm in Louisville by the name of Nevin, Wischmeyer & Morgan?

A. Yes, sir.

17. Did they make the plans for repairing some of the old buildings and making some of the new buildings?

A. I think they did.

18. Well, they were paid a salary for that, were they not?

A. Not that I know of.

19. You don't know about that?

A. No, sir.

20. Were they not allowed to buy material used in doing the work without receiving bids on the materials?

A. Not that I know of.

21. Well, were they not allowed ten per cent besides their salary on the stuff that they purchased?

A. I don't know whether they were allowed ten per cent or not. I have gotten a bill for ten per cent but have not passed it.

22. Well, have you not received duplicate bills that they tried to get past for materials?

A. No, sir.

23. Never have?

A. No, sir.

24. Do you know of any being presented of that kind?

A. Duplicate bills from whom?

25. Nevin, Wischmeyer & Morgan?

A. No, sir; I have not seen any duplicate bills from them.

26. Well, didn't they try to duplicate their bills?

A. Not that I know of, they haven't.

27. Well, wasn't there right smart material and stuff bought here that there is no place to use, and wasn't used?

A. Not that I know of; all that isn't used will be used.

28. What is there that is here that you know of?

A. Well, I know what came in here all summer, and know that I got requisitions for it and it has gone out. Some of it has not been used yet; some of the cottages not complete yet, and it is still on hand.

29. You say that there is nothing here that is not used but that will be used, and that there is a place for?

A. So far as I know. After it is issued to a plumber or electrician my responsibility ceases for it. I know that as far as the stuff being on the ground that will never be used, I could not say, because I do not know.

30. You know that there is a budget made out for this institution each year and allowed?

A. Not this one, but for all seven.

31. Well, that is what I mean. Do you know anything about an order that came up here in May or June, 1923, concerning the spending of money of the 1922 or 1923 budget, whatever it was, when they thought they were going to have one hundred thousand dollars or so left?

A. An order from whom?

32. From Frankfort, directions from anybody?

A. I got a letter from the central office—I suppose it was—about June, to try to get all of my stuff in that I had out.

33. Close it up?

A. Yes, sir.

34. Wasn't it closed up ten or twelve days before the end of the fiscal year?

A. No, sir. I was late getting my bills in there; took them down there on the 21st of June.

35. When did the fiscal year end?

A. The 20th or 21st of June.

36. That is when you took them down?

A. They don't have to be there any month closing the same day that it closes. I know it was the 21st day of June that I went to Frankfort and took these bills myself.

37. Well, were you asked to sign up any bills for goods before they were received? You have to sign the receipts for them, don't you?

A. Yes, sir.

38. Were you asked to sign up for any goods that had not been received?

A. I had a few bills that I sent through that we held until the goods were received.

39. Please answer my question yes or no. Were you asked to sign any bills for goods before they were received?

A. No, sir; I didn't sign for any before they were received.

40. I am going to ask you the question again. Were you asked to sign any bills for goods before they were received?

A. No, sir.

41. Were you requested in any way to do it?

A. Not that I remember of.

42. Don't you know that the books in the central office were not closed until June 18, 1920, in order to shorten the year whereby the per capita could be cut down for this institution? Do you know anything about that?

A. I don't know anything about that. When I went to work for this board the fiscal year closed the 20th of June. I didn't know anything about that; didn't ask them whether it closed at that time.

43. Did you ever let Mr. Welch have gasoline?

A. Mr. Welch?

44. Yes.

A. He has a time or two, when he was assistant superintendent.

45. I mean last summer?

A. Major Hickman used to give Mr. Welch gasoline every couple of weeks; when he would run his car in town he would get gas.

46. That was before he was superintendent?

A. He was assistant then.

47. Is the assistant supposed to have gas?

A. Anybody is supposed to have gas that the superintendent signs for.

48. I just want to know the facts. Do you know whether the superintendent has signed any for Mr. Welch, and did you let him have any on the requisition from the superintendent?

A. I have.

49. How much and how often?

A. About every two weeks; something like that, he would get gas.

50. Over what period of time did that extend? Wasn't that all last summer?

A. I think that was last summer—about June, July and August—right in there, when we were doing most of this building here.

51. You say you don't know whether Nevin, Wischmeyer & Morgan sent a bill here for stuff before it was shipped here? Diln't they buy a lot of stuff?

A. Yes, sir.

52. Were they not allowed ten per cent on what they bought?

A. They have some bills in for ten per cent, but I have not passed on those bills; work isn't completed.

53. Wasn't it your understanding that they were to receive this ten per cent?

A. I don't know about that; had nothing to do with it; not my understanding.

(Questions by Representative Drury.)

54. Mr. DeWitt, how long have you been here at this institution?

A. Been here fifteen months.

55. Where were you engaged before you came up here?

A. At the central office a year at Frankfort.

56. Where did you work before that?

A. Worked for my father in Frankfort.

57. You were raised at Frankfort?

A. Yes, sir.

Further witness sayeth not.

Also the testimony of John F. Quinn, taken at the same time and place as that of the preceding witness, DeWitt, at

the Kentucky Houses of Reform, at Greendale, on Monday, February 11, 1924:

(John F. Quinn.)

(Questions by Chairman Young, of the Committee).

1. Will you please give your name and present position that you hold with this institution?

A. John F. Quinn, military instructor and athletic director, and a few other positions that I fill that are not so im-important, like court officer and clothing officer.

2. What is your salary, Colonel?

A. One hundred and fifteen dollars a month.

3. How long have you been with the institution?

A. Four years this summer.

4. Where were you engaged prior to that time?

A. I came from the service of the United States army.

5. Located where?

A. Camp Dix, New Jersey, where I was discharged.

6. Where was your home when you went into the service?

A. In Massachusetts.

7. Is one of your duties the inflicting of punishment upon the inmates of this institution whenever it is deemed proper or necessary?

A. Yes, sir; if you would call it punishment; that is, place them in confinement. Sometimes I smack them, slap them or paddle them occasionally.

8. Well, have you ever had occasion to whip one?

A. Yes, sir.

9. Do you know of any of the boys being injured in inflicting any punishment upon them?

A. In what way do you mean injured?

10. In any way; I mean injured in any way?

A. No, sir; I don't.

11. Was there a boy got his finger broke here a short time ago?

A. Not to my knowledge.

12. You don't know anything about that?

A. No, sir; I don't.

(Questions by Representative Drury, of the Committee.)

13. Have you charge of the barracks over here where the discipline is administered?

A. Yes, sir; I take the boys over where they are kept in confinement, and release them.

14. What is the shortest period of time that they have been compelled to serve in the barracks?

A. Have not used any definite period of time; have been going on fifteen day period. If he behaves himself he gets out in fifteen days; second offense thirty days.

15. Describe the punishment that is administered to them in the barracks?

A. The first thing they get their hair cut and give them a bath; are told their duties about standing on the line —remain absolutely quiet—if they want anything they hold their hands through the bar; the main thing is quietness; they have to stand on the line ten hours, with ten minutes every hour for calesthenics. It is a disciplinary barracks what it is supposed to be. It is the only method we have of obtaining real discipline at the present time since we cut out—abolished—corporal punishment.

16. You put them in at seven o'clock in the morning on the line?

A. Yes, sir, and they are brought to attention.

17. And kept there until six in the evening?

A. With intervals in the meantime for meals and calisthenics.

18. When the calisthenics is given to them they are still standing up?

A. Sometimes; sometimes standing up and sometimes sitting down; sometimes prone on their stomachs.

19. But they stand fifty minutes at a time?

A. Yes, sir.

20. How long do they have to eat their food at meal time?

A. Thirty minutes.

21. What do you give them?

A. Milk and bread.

22. How much milk?

A. Usually as much as they want.

23. How much bread?

A. From three to five slices.

24. And while they are in there they yet nothing but milk and bread for fifteen days?

A. Yes, sir; unless it is a holiday, and we give them whatever they are entitled to on that day.

25. Does it continue over Sunday?

A. Yes, sir, all the time except Christmas and holidays. What they get from home I state because they let them eat it at that time; let them sit down and eat it.

26. So they usually stay in there from seven to six; half hour for meals; fifty minutes each hour standing up and ten minutes each hour for drill?

A. Yes, sir.

(Questions by Representative Drury, of the Committee.)

27. The drill you speak of is done in the cell?

A. Yes, sir; have plenty of room there for them.

(Questions continued by Chairman Young.)

28. How long is the longest period that you have kept the men on bread and water for discipline?

A. From three to seven days, according to his conduct while undergoing that time.

29. Why are those boys that have gonorrhea kept up there in the barracks?

A. Because we do not want to spread the disease, and that is the only place we have to put them; do not want to turn cases like that over to nurses.

30. Why not provide them with cots so that they can lie down and rest?

A. We provide them with mattress and bunk.

31. Do you permit them to get up in that during the daytime?

A. Yes, sir; and any time they feel bad we do not force them to stand. The doctor examines them every morning.

32. How long has it been since you quit using the strap on the boys?

A. Quite a number of months; some time before Major Hickman left here?

33. Had you ever lived in Kentucky prior to this time?

A. During the war I was stationed at Camp Taylor. That was where I met my wife. I was going to go back in the army and this position was offered me.

34. Where is your wife?

A. She is here.

35. What position does she hold here?

A. Sort of relief lady; has charge of the hospital on Thursdays and Tuesdays; has charge of mail and pressing of clothing; things like that.

36. What salary do you pay her?

A. Twenty-five dollars a month and her board.

Further the witness sayeth not.

Also the testimony of Mrs. John O'Connor, taken at the same time and place as that of the preceding witness, to wit, the Kentucky Houses of Reform, at Greendale, Kentucky, on Monday, February 11th, 1924. The witness being first duly sworn, testified as follows:

Mrs. John O'Connor.
(Questioned by Chairman Young, of the Committee.)

1. State your full name and what position you hold in this institution?

A. My name is Mrs. Ollie O'Connor; I am the tailoress.

2. How long have you been with the institution?

A. I have been here since August, 1917, but I have been out of the institution several months, one time; five another, on account of sickness, but I came back this time.

3. Do you know in reference to the employes here, whether there are more or less since the present board of charities took over these institutions?

A. Well, I believe there are less now than there was; of course, I have never figured it out, but believe there is less; only have one kitchen where we used to have four, maybe five —two colored and four white—that makes six.

4. Who does the cooking usually in your kitchen?

A. Well, now we have two colored men; Nelse cooks for the officers and Carr cooks for the boys.

5. They are not inmates?

A. Oh, no; they are officers; the boys do the cooking now, but the officers oversee them.

6. Do you know anything about the punishment administered to the boys here; what kind of punishment?

A. Well, I know very little myself, because I am not thrown with the boys very much in that department. Of course, in my judgment we don't do very much punishment; don't amount to very much in my department. If they need any more control than we feel we can give them we send them over to the higher officers.

7. You don't know anything about that?

A. No, sir; you see it is out of my shop.

(Questions by R. J. Cain, member of the Committee.)

8. Are the colored and white divided as to eating?

A. O, yes; they always have been.

(Questions resumed by Chairman Young.)

9. Do they go to the picture show together?

A. Well, they go together, you might say; one bunch on one side with their officers, and the other bunch on the other side with their officers.

10. Are they not drilled together?

A. I don't really know. Yes, I think they all drill together, but not in the same bunch; not in the same squad; colored have their squads, and the whites theirs.

11. But they are drilled together?

A. Yes.

12. The calisthenics; ain't that together?

A. I don't believe it is; no, they are all separated.

13. That is your idea?

A. Yes, that is my idea, but I am not going to be so positive about that. They are all on the ground at the same time.

Further the witness sayeth not.

Also the testimony of Ben L. Goodwin, taken at the same time and place as that of the preceding witness, to wit, the Kentucky Houses of Reform, at Greendale, Kentucky, on Monday, February 11th, 1924. The witness, being first duly sworn, testified as follows:

(Ben L. Goodwin.)
(Questions by Chairman Young.)

1. Mr. Goodwin, will you give the committee your full name, age and present position?

A. Ben L. Goodwin, 26; am employed as clerk in the institution.

2. Are you a member of the office force?

A. Yes.

3. Will you please state to the committee how many persons are employed in the office, or constitute the office force, and their names, and the position they hold?

A. Mr. Welch is the superintendent; his stenographer is Mrs. Welch, and myself as clerk; that is all of them; just three.

4. Isn't there an assistant superintendent?

A. Mr. Quinn is acting as assistant superintendent.

5. Isn't there a secretary?

A. Mrs. Welch.

6. Bookkeeper?

A. The position of clerk, I suppose, takes in bookkeeping too.

7. Doesn't the office force consist of the superintendent, assistant superintendent, private secretary to the superintendent, two regular office assistants, and one drillmaster,

who stays most of the time in the office, and the man who drives the mail truck and puts up the mail?

A. No, sir.

8. Not correct?

A. No, sir.

9. Have you such people here?

A. When Major Hickman was here we had the superintendent, assistant superintendent, secretary and myself. The mail man carried the mail and brought it to my office and I put it up.

10. You had a mail driver?

A. He was truck driver; had nothing to do with the mail except carry it.

11. Have you ever had any more in the office force since you have been here?

A. No, sir.

12. How long have you been here?

A. I came here January 3rd, 1921.

13. Where did you come from to this place?

A. I came at the time from my home in southern part of Indiana; English, about forty miles out of Louisville.

14. Did you come straight to this institution when you came to Kentucky?

A. Well, I had worked in Kentucky before I came here.

15. Where?

A. The L. & N., at Louisville; Ninth and Broadway; was there for over a year.

16. How come you to get this place?

A. The receiver at this time was Mr. Pedigo, and he and I worked together at the same place, the L. & N., at Louisville. There was a vacancy here and he got in connection with me and wanted to know if I would come down.

17. Is he still with the institution?

A. No, sir; he left a little over a year ago, I believe.

18. Do you know where he is now?

A. The last time I heard of him he was in Kansas City, Missouri.

(Questions by Representative Cain, of the Committee.)

19. What is your salary?

A. Seventy dollars a month.

(Questions by Representative Drury, of the Committee.)

20. Does that include your board?

A. Yes, sir.

21. Maintenance?

A. Yes, sir.

22. Your laundry?

A. Yes, sir.

(Questioning resumed by Chairman Young, of the Committee)

23. Has your salary been increased or diminished since you came here?

A. Been the same.

24. What were you getting in the railroad office?

A. One hundred and five dollars.

(Questions by Senator Clark, of the Committee.)

25. Are you married or single?

A. Single.

Further the witness sayeth not.

Also the testimony of Mrs. John McAtee, taken at the same time and place as that of the preceding witness, to wit, the Kentucky Houses of Reform, at Greendale, Kentucky, on

Monday, February 11th, 1924. The witness, being duly sworn, testified as follows:

(Mrs. John McAtee.)

(Questions by Chairman Young, of the Committee.)

1. Will you please give the committee your full name, and the position you hold with this institution?

A. Mary McAtee is my name, and I am a nurse here.

2. How long have you been connected with the institution here?

A. Two years the 19th of this month.

3. Where were you located prior to that?

A. Hopkinsville; I was there I think four years.

4. You came from Hopkinsville here?

A. Yes, sir; the Hopkinsville institution—no, I went to the Eastern State; was transferred there and then came here.

5. Where did you reside before going to the Hopkinsville institution?

A. At my home in Lyon county; was born and raised there.

6. Is your husband living or dead?

A. He is here.

7. What position does he hold here, if any?

A. He is division officer.

8. What are the duties of a division officer?

A. Well, I just don't know.

9. Do you know whether he does or not?

A. He has charge of the boys when they are not working; that is all I know.

10. What per cent of the boys work?

A. Of his boys, you mean?

11. No; all of them?

A. I don't know; that is entirely out of my line of business; I don't know.

12. That is easy answered then?

A. Why sure.

13. The department in which you are nurse is the boys' department?

Yes, sir.

14. Have you ever observed any marks or bruises upon any of the boys that have been brought into your ward?

A. No.

15. Never have seen any?

A. No.

16. Have you examined for that particularly?

A. Well, no, I haven't.

17. Who does?

A. We have a doctor here and if anybody is hurt they are supposed to go to the doctor for that. He is out every morning.

18. Did you have a boy in the hospital by the name of Jones?

A. William Jones?

19. Yes.

A. Yes, sir.

20. How long was he in the hospital?

A. Could not tell you exactly; not over two weeks, if that long.

21. What was his trouble?

A. Tuberculosis of the spine; I suppose he had that when he came here; had a hump on his back.

22. Do you know whether while in that consumptive condition he was stood up in the barracks?

A. Can't say; have never been in the barracks.

23. Did you hear him say that?

A. Don't know; he was delirious when they brought him from the hospital.

24. Do you know where they brought him from?

A. He came in during the night with a chill, from his division; so I didn't talk to him.

25. Has there been a boy at your hospital with a broken finger lately?

A. No.

(Questions by Representative Drury, of the Committee.)

26. You don't know where this boy came from when he was brought to your ward?

A. From his company, I suppose; that is what I thought at the time.

26. How long did he stay in the hospital?

A. I believe it was something like a week or eight days; maybe ten days.

27. What became of him then?

A. Took him into town to the Good Samaritan Hospital.

28. Is he there now?

A. No; he went from there to Hazelwood Sanitarium.

29. In Louisville?

A. Yes, sir.

30. A tuberculosis sanitarium?

A. Yes, sir.

31. Is he there now?

A. I don't know whether he is or not.

32. You say he had tuberculosis of the spine? When was that diagnosed the first time, do you?

A. I don't that either.

33. Do you know of him being diagnosed before he was

brought to your hospital, or was it at that time that you first heard of it?

A. I just can't remember.

34. Do you know how long he was in the institution before he was brought to the hospital?

A. I don't know.

35. What age boy was he?

A. I suppose about 18 years old; a great big boy.

36. Was he confined to his bed all the time while in the hospital?

A. Yes, sir.

37. How long was he delirious while in the hospital?

A. All the time.

38. Until he left?

A. Yes, sir.

39. Have any lucid intervals at all?

A. Once in a while.

40. Was that caused by tuberculosis?

A. By high fever.

41. And that was occasioned by the tuberculosis?

A. Yes; from his back.

42. Isn't it rather out of the ordinary for tuberculosis patients to be delirious?

A. Not when they have tuberculosis of the spine.

43. When did you marry?

A. Two years ago, the 15th of this month.

44. After you came here?

A. No; before I came. Married and came right on here.

45. Was your husband working here at the time when you married him?

A. Yes.

46. How long had he been here?

A. I don't know about that.

47. Where was your husband raised?

A. Trigg county, Kentucky.

48. And you were raised in Lawrence county, Kentucky.

A. Yes, sir.

49. What was your maiden name before you were married?

A. Brightwell.

50. How near from Eddyville were you raised?

A. About five miles.

51. On a farm?

A. Yes, sir.

(Questions resumed by Chairman Young, of the Committee.)

52. Are you the only nurse here in the boys' department?

A. The only one in the boys' department.

(Questions by Representative Drury, of the Committee.)

53. About how many patients do you usually have in the hospital?

A. Don't have hardly any; these little boys don't get sick much; tonsilitis, chicken pox, and children's diseases.

54. What is about the average?

A. All the winter I have not averaged four, I suppose.

55. What salary do you get?

A. Sixty dollars.

56. And your laundry and board?

A. Yes.

57. What salary does your husband get?

A. The same.

58. And board?

A. Yes.

And further the witness sayeth not.

Also the testimony of Chas. A. Umstead, taken at the same time and place as that of the preceding witness, to wit, the Kentucky Houses of Reform, at Greendale, Kentucky, on Monday, February 11, 1924. The witness, being duly sworn, testified as follows:

(Chas. A. Umstead.)

(Questions by Chairman Young, of the Committee.)

1. Mr. Umstead, will you please give the committee your full name and present position?

A. Chas. A. Umstead; chief engineer here.

2. How long have you held that position?

A. In this place?

3. Yes, sir.

A. About twenty years.

4. Are you also the electrician; do you have charge of that?

A. No, sir; that comes under me, but we have a regular electrician who does the work.

5 What is his name?

A. Mr. John Stallard.

6. How long has he been here?

A. Going on three years.

7. As chief engineer, what are your duties?

A. Just to see about the light, heat and power; tend to that and tend to all the machinery that is used for that purpose.

8. Where is your place of business?

A. Down here at the power house, at lower end of laundry room.

9. Before the present board took charge, which I think was in March, 1920, do you know what office employes they had here under the old board?

A. Yes, sir; I knew all of the employes.

10. Will you state them?

A. Superintendent, assistant superintendent, and bookkeeper; I believe that was about all there was to the office force.

11. Do you know what office force they have now?

A. Yes, sir.

12. State what?

A. They have a superintendent and I can't say about the assistant superintendent; supposed to have an assistant superintendent; think there is a man acting in that capacity.

13. Does Mr. Quinn act in that capacity.

A. Yes, sir; supposed to.

14. Who else?

A. Secretary and young man in the office in charge; Mr. Goodwin, Benny Goodwin.

15. Well, anybody else?

A. That is all, I think.

16. Have a man to deliver the mail?

A. Yes; takes out the mail, brings it back and puts it up.

17. Haven't they got a stenographer?

A. I think the secretary, Mr. Welch's wife, is the stenographer.

18. Before this board took charge were the boys put in classes with reference to age and size and kept separate?

A. That is the way the institution was started, but

have kind of drifted away from it; were more or less kept that way; kept in divisions near size, I think, and age.

19. How is it done now in reference to that?

A. Well, I think it is right smart that way now.

20. What do you mean by "right smart?"

A. Well, I don't think they have quite as many divisions as they used to have, and by them not having so many divisions they put the larger boys back and closer to some of the smaller ones; cut out one division. Have no first division now, as they used to have; used to be first; call it first now, but it has moved over to another house; cut out one of the divisions.

21. Well, didn't they at that time have separate kitchens and dining rooms for them.

A. Yes, sir.

22. Now aren't they marched through there in a body, in all kinds of weather, to this mess hall, down here in a bunch?

A. Yes.

23. With reference to some supplies, Mr. Engineer, that you get to keep your machinery and other things going, don't that come to you, that goes into this heat and power and all that kind of stuff?

A. Yes, sir.

24. Have any of that on hand now?

A. Yes; we keep some on hand all the time.

25. "Some;" what does that mean?

A. Understand it varies at times. Say we will order a dozen pieces or articles; will use four or five of them at once; when making an order we may be running short of some articles; it may be the case with some of our stuff.

26. May be, but is that the case with all of your stuff?

A. No.

27. What stuff have you down there that that ain't the case, if any?

A. Well, we have a lot of stuff down there. We have some stuff that was bought here that can't really be called my stock, that was turned over to me.

28. When was it bought?

A. Last summer.

29. What kind of stuff is it?

A. Radiators.

30. Got any place to put them; place to put them where they are useful?

A. No, sir.

31. What other stuff have you got?

A. Got a good deal of pipe on hand.

32. Any place to put that pipe where it will be useful?

A. Not now. Aim to build another house.

33. Oh yes, if you ever put up another house you will use the pipe and radiators?

A. Yes, sir.

34. It is customary to get stuff on hand before you build the houses—radiators, pipes and lumber, and everything ready to furnish the house?

A. Generally, but when they went to put up the building it was let by contract and the contractor furnished the material that was needed to build the house and what—

35. Do you know who ordered this stuff?

A. No, sir; some of it I don't.

36. Well, who?

A. I say I don't know who ordered some of it.

37. I understand some of it; but then who ordered the part that you do know about?

A. I made an order for some of it.

38. I mean beside what your ordered?

A. I don't know who made the order for it.

39. Did you learn when it came in, who ordered it?

A. Yes; I was told.

40. Who?

A. A firm in Louisville, that was the architect.

41. Wasn't that firm's name Nevin, Wishmeyer & Morgan?

A. Yes.

42. What part of this stuff did you learn that they had ordered?

A. Well, I made an order in one case to fit out a building over here just in the amount of radiators and that they needed to finish up that job. We got that order filled three times.

43. Three times?

A. Yes, sir. Now I don't know whose mistake it was, or anything of the kind, but it was probably a mistake. That is the stuff I am telling you is on hand without any order.

44. About how much of that stuff is there? About how much would it cost?

A. I expect a thousand dollars or more.

45. Now in other words, the order that was fixed for the building they were building was duplicated twice—isn't that a fact?

A. Yes, sir; this building over here; cottage B.

46. How long has that stuff been there?

A. I think it came in, the last of it, in November.

And further the witness sayeth not.

Also the testimony of B. E. Welch, taken at the same time and place as that of the preceding witness, to wit, at the Kentucky Houses of Reform, at Greendale, Kentucky, on Monday, February 11th, 1924. The witness, being duly sworn, testifies as follows:

(B. E. Welch.)

(Questions by Chairman Young, of the Committee.)

1. Please give your full name and present position with this institution.

A. B. E. Welch, acting superintendent.

2. How long have you been engaged in your present capacity?

A. Since December 21, 1923.

3. Were you connected with the institution prior to that time?

A. I was first teacher, director of schools and assistant superintendent. Came here in September, possibly the 25th, 1920; about that date.

4. Are you familiar with the punishment that is administered to the inmates of this institution for infractions of its rules and regulations?

A. I am. I am not disciplinarian, but am familiar with it.

5. You have also been present and heard the witnesses today tell of the punishments administered?

A. Yes, sir; I have.

6. I will ask you, Mr. Welch, if in your judgment and opinion, having the experience you have had with these institutions, whether or not you consider the punishment administered to these boys as cruel or not?

A. I do not.

7. In your opinion then, the punishments are the proper thing as administered.

A. They might be improved upon.

8. I believe you said this morning that you knew something of the Jones case.

A. I know all about it.

9. Just state to the committee just what you know about that case.

A. William Jones came to this institution probably two and one-half years ago. Now this isn't accurate. He ran away from the institution and was brought back and put in the disciplinarian barracks. He stayed in the disciplinarian barracks fifteen or twenty days the first time. He was then put in the store room, one of the best jobs in the institution. He was caught using tobacco on several different occasions and he was put in the disciplinarian barracks for about forty days. After he was let out of the disciplinarian barracks, sometime after, I was notified in my room that William Jones was sick. Being the assistant superintendent, they came to me about it. He was not being punished at the time. I went to his company and found him sick. I said, "come on and just go to the hospital." He didn't want to go. I carried him on my back by myself to the hospital. He was in a delirious state. He stayed in the hospital something like two weeks, and was transferred to the Good Samaritan Hospital. He stayed at the Good Samaritan about three weeks. He was then transferred to the Hazelwood Sanitarium, a state institution, and stayed in that institution for several months, and was discharged from the Hazelwood Sanitarium.

10. Do you know where he is now?

A. I don't know for sure.

11. I mean have you any information?

A. I think he is at Buckner, up close to LaGrange, in Oldham county. That is where his father lived.

12. Do you know, or did you learn, whether he had tuberculosis of the spine when he came here or whether he contracted it after he came?

A. I don't know. He had a hump on his back when he came here, and that hump is with him today, on his back, and he has been operated on and has scars on his back, and had when he came into the institution.

13. Then you don't think that the punishment or discipline that he was put under here was the cause of his trouble?

A. No, sir; I don't.

14. In other words, you think he had that when he came here?

A. I think he had an infection then when he came to this institution.

15. We have just been to visit the Bromwell building and also cottage "C." There we found a considerable number of radiators and other materials that you felt were to go into certain cottages that were being built. Do you feel that way about it now?

A. The radiators that belong to this institution I can account for it.

16. Can you account for all that was there?

A. I can't, because it belongs to the girls' school and not to the boys' school.

17. Don't you know, as a matter of fact, that the radiators are in the girls' school?

A. All equipment for the new girls' school is in this institution; their radiators, their electric equipment and stuff of that nature is here because they had no place to store it in their school.

18. Are you prepared to say then that these orders were not duplication of orders that came here?

A. I am prepared to say that we had in this institution a duplicate order of radiation and that that radiation was sent back to Belknap Company, from whom it was received.

19. When?

A. After Major Hickman left this institution.

20. How long after?

A. About three weeks, I judge.

21. When did he leave?

A. Twenty-first day of December, 1923.

22. You heard Mr. Umstead say that there was three shipments of that same stuff?

A. I did.

23. Are you prepared to say that isn't correct?

A. I am not.

24. Well, now, Mr. Welch, if there is any other statement that you feel like making or want to make, we would be glad to hear it.

A. Well, I think I have said to you gentlemen personally all I care to say.

25. One thing you said to us ought to go into the record; that is with reference to the number of employes in the office here.

A. There are employed in this institution today the superintendent, the secretary to the superintendent and the clerk; that is the office force entire.

26. The young lady that assists in there; what's her duty?

A. She has only been in there one day. She is the substitute; Goodwin, who reads the mail, had gotten behind; she is put in there temporarily.

27. Who keeps the books?

A. No books kept at this institution.

28. Who looks after and keeps the records here?

A. The clerk, Mr. Goodwin.

29. Well, you have got a bandmaster, have you not?

A. Yes, sir; we have.

30. Have an assistant bandmaster?

A. No, sir; have not.

31. No assistant bandmaster?

A. Have a vocal instructor who is librarian on top of

it. She has been employed in this institution since the 16th day of January of this year.

32. What is her name?

A. Cordie McDonald; was formerly Cordie Lawrence, of Georgetown.

33. Wasn't there a lady came here a short time ago, I think from Pennsylvania, some place, that occupies a place at a salary of $250.00? Do you know who she is?

A. I don't.

34. With the girl over here?

A. I don't know about Miss Reeves. She is in charge of that department. She is not a Kentuckian, as I understand it. She is known as the superintendent of the State School for Girls, but I don't know anything about her salary. It is an entirely separate institution from this.

(Questions by Representative Drury, of the Committee.)

35. You said that you thought that that form of punishment could be improved upon. What do you mean by that; made worse or better?

A. Well, improvement would not be making it worse. Mr. Drury, as I understand it.

36. I mean more humane or more severe?

A. Well, I don't consider that not humane.

37. Don't you, Mr. Welch, consider that a man standing for eleven hours erect, fifty minutes of each hour, toeing the mark, then ten minutes of drill and being fed on milk and bread for fifteen days; don't you consider that a cruel and inhuman punishment?

A. Mr. Drury, if I knew of anything better I would institute it in the morning. If you would offer any constructive criticism along that line, I would welcome it.

38. The only criticism I would offer would be to do away with it.

A. And put what in its place?

39. Did you punish that boy for fifteen days for smoking or chewing tobacco?

A. Not for the first offense. He is given a demerit for the first offense when he comes up to the court officer. The officer says, "You know that is wrong, don't you." He says, "I do." He says, "I am going to let you off with ten demerits; don't do it again." He may be back again in a few days and may then be given twenty, thirty or forty demerits, and he is told he will go to the disciplinary barracks the next time.

40. How many demerits does it take to go to the disciplinary barracks?

A. Not under forty. When I came to this institution the boys had been in this institution two, three, four and five years. They had no parole system. We instituted what we call the demerit system. We said, when a boy came in here, "You have 79 weeks to earn." A week is added for each five demerits, but if no demerits are gotten, then he can earn his time in 65 weeks; that made it possible for a boy to earn his time in 65 weeks. Every boy is given to understand that that is what he has to do when he comes into the institution. Now, if a boy doesn't go straight—and we depend upon the report system— if a boy gets a report for malicious mischief or destruction of property, or something like that, he is taken before the court officer and he is tried. Oftentimes suspended punishment is given; sometimes given fifteen demerits, which adds three weeks to his time. If he gets twenty, it adds four weeks to his time; if he gets forty demerits, it adds eight weeks to the time.

41. Now then, this boy that you claim afterward developed T. B., you took him in that delirious state over to the

hospital, having been out of the disciplinary barracks about two weeks?

A. I didn't say that.

42. How long had he been out?

A. I don't know, but I can tell you if you will give me time to look at my records.

43. All right.

A. (Displaying folder with this boy's record in it.) Every bit of information that we get in regard to a boy is kept in his file. I find here that he had been out of the disciplinary barracks four weeks. The record shows as follows: "Wm. Jones, white boy. American birth, received June 11, 1921, Jefferson county, delinquent, sentenced until 21, born 1905; sixteen years old when he came to this institution; escaped September, 1921; returned same month; paroled from this institution on July 27, 1923."

44. Mr. Welch, do you think that that severe discipline to that boy in his condition occasioned his acute attack that brought about that spell of delirium?

A. It doesn't seem so, inasmuch as he had been out of the disciplinary barracks as long as he had. Wm. Jones was never made to stand as much as the other boys, due to the fact that he has a hump on his back; that is, while he was in the disciplinary barracks.

(Questions by Chairman Young, of the Committee.)

45. With reference to the number of state automobiles here, outside of the trucks, how many have you?

A. We have in this institution now one automobile that isn't a truck.

46. Well, have you not one in the girls' department?

A. That isn't our institution. I know they have, however.

47. Who has got one over there?

A. There are two cars in that institution; has been for the last year. One of them got wrecked; Miss Reeves was in it.

48. Who else?

A. A Southern train hit her going sixty miles an hour. If I understand correctly, the Southern Railroad bought her a new car—a four-door sedan, but I am not stating that as fact.

49. Buy it for her or for the state?

A. Bought it for the state.

50. How many days do you give a boy for each remerit?

A. If he gets forty demerits, eight weeks is added to his time. We do not add days, we add weeks; five demerits makes one week; one demerit is more than one day.

(Question by Senator Clark, of the Committee.)

51. Do the boys in the barracks attend school?

A. No, sir.

(Question by Representative Drury, of the Committee.)

52. Where do they stay at night?

A. They sleep right there in the barracks.

(Questions by Chairman Young, of the Committee.)

53. Are not let out at all during that time?

A. No, sir. I want to say that every boy is given a bath every morning in that barracks.

54. What time?

A. Between 6:30 and 7:00; starts it at 6:30, before he goes on the line.

55. I will ask you to read that letter, date and all, to the stenographer.

March 6, 1923.

H. V. Hickman, Supt.,
Kentucky House of Reform,
Greendale, Ky.

DEAR SIR:—At your request I examined Wm. Jones and I find that there is evidence of tubercular osteomyelitis of the lower doral vertebra, in an active form. I would suggest that if possible he be sent to the Eastern State Hospital for X-Ray of spine..

Very truly yours,
(Signed) J. S. CHAMBERS, *Physician.*

56. Give the date of his last confinement in the disciplinary barracks and the length of time.

A. His last confinement in the disciplinary barracks was December 30, 1922, and he was released January 27, 1923.

And further the witness sayeth not.

This concluded the taking of evidence at the Kentucky Houses of Reform, Boys' department, Greendale, Ky.

Thereupon, upon the same date, to wit, February 11, 1924, the committee repaired to the girls' department of the Houses of Reform to continue their investigation.

The testimony of Miss Helen T. Reeves, given at the Houses of Reform, girls' department, on February 11th, 1924:

(Helen T. Reeves.)
(Questions by Chairman Young, of the Committee.)

1. Give the committee your full name and the position you occupy in this institution.

A. Helen T. Reeves; I am superintendent of the Kentucky State School for Girls at the Houses of Reform.

2. How long have you been employed here?

A. Since the 21st of October, 1922.

3. How many employes have you under your supervision?

A. Fifteen, I think.

4. Please name them, giving their official positions?

A. Mrs. Hancock, supervising matron; Mrs. Rosa Cheek, matron at the hospital; Ada Greer, matron of colored building; Mrs. J. S. Williams, teacher; Miss Mollie Douglas, teacher of music and weaving; Mrs. J. S. Eurym, kitchen officer; Mrs. Butler, dining room officer; Miss Kate Davis, laundry inspector; Miss Alice Strange, relief officer; Mrs. Lumm McHatton, housekeeper at hospital; Miss Mary Wharton, resident nurse; Daisy Combs, colored teacher; Miss Katherine Bowers, stenographer, record clerk and secretary; Dr. Josephine D. Hunt, physician (she comes two mornings a week and is on call the rest of the other time), and myself (Helen T. Reeves).

5. What salary are you paid?

A. $175.00.

6. Per month, I presume?

A. Yes, sir.

7. You are furnished quarters and everything?

A. This is my bedroom, dining room, dressing room, private office and everything, where we are sitting now.

8. Where did you come from to this place?

A. From the Department of Charities and Corrections in Frankfort.

9. How long were you in Frankfort?

A. I came to Frankfort on the 1st day of January, 1921.

10. Where did you come from to Frankfort?

A. I came to Frankfort from Bridgetown, N. J., where I was the Home Service Secretary of the local chapter of the American Red Cross. I had been in Bridgetown for two

years looking after my mother, who was a semi-invalid at that time.

11. Where did you live prior to that time?

A. I was in Indiana employed by the State Board of Charities there on a special piece of investigation for their committee on mental defectives.

12. How long were you there?

A. From the 3rd of December, 1918, until the middle of July, 1919, at which time I went to my home.

13. Where is your home?

A. In Bridgetown, N. J., where I was born.

14. Did you ever live in Pennsylvania?

A. Yes, sir; I was in Pennsylvania from the 25th of March, 1907, until the 2nd of June, 1910. I was taking a course as nurse at the hospital for the insame; afterwards was occupational therapentist there.

15. Do you know Mr. Byers?

A. I do.

16. How long have you known him?

A. I have known Mr. Byers since August, 1912, when I was employed by him.

17. Where?

A. At the Department of Charities and Corrections in Trenton, N. J.

(Questions by Representative Cain, of the Committee.)

1. Do you administer any punishment to the girls in your charge for violation of the rules and regulations of the institution?

A. I do.

19. What is your mode of punishment?

A. The regular methods of discipline are by demerits,

which means an added amount of time to their stay here, then confinement in rooms; very much limited in that regard.

(Questions by Chairman Young, of the Committee.)

20. Who is in confinement now?

A. I have one girl confined for attempting to escape. I have another girl who has persistenaly soiled her clothes and bed. Two girls for attempting to escape and this girl who has been soiling her underwear. Incidentally, in those same rooms, there are three of them in this building, as soon as a girl comes in she is placed in quarantine until the doctor can see her. Then she remains for a week or ten days anyway to herself. Those are the only rooms I have over here to get a girl by herself.

21. Have you not rooms at the other places?

A. Yes.

22. Administer discipline there?

A. Yes, indeed.

23. How long are they compelled to stay in these rooms?

A. Until they have a change of heart.

24. How long does that take, usually?

A. It depends, human nature being so much individual. I had two girls in the division rooms at the other building Saturday afternoon for three hours and that did the work. I have had other girls in for a week or ten days.

25. What do they do, offer an apology?

A .Yes.

26. You just simply put them in a room?

A. Yes, away from the rest.

27. What is their fare?

A. The first day we give them bread and water, if the offense seems to warrant that; the next day we give them their dinner; that is two meals of bread and water and then

one regular meal. The other methods of discipline are sitting on silence; standing on silence.

28. For how long?

A. For an hour at a time.

29. No longer than that?

A. Sometimes we stretch it when it needs it.

30. What is the longest that you have ever stood a girl on her feet?

A. I would say for very unruly conduct, I think about three hours. My matron in the building can tell you for she attends to the discipline.

31. And you get satisfactory results from that sort of punishment—from that kind of punishment?

A. Yes, we do. Of course we have to try everything. The greatest thing is to get them away from the rest. These girls are hysterical and love applause, and when they have a crowd around egging them on they will do all sorts of things just for the joy of being in the limelight, but get them away and where they can think it out and it is different. If we had an institution with a room for each girl we could put them where they could think it out.

32. Over at the other place, have you any heating or pipes or apparatus of that kind over there in the basement?

A. Yes.

33. What is that for; that that isn't put up?

A. Oh, I don't know—you mean piping materials?

34. Yes.

A. The foundation for a small building for the colored girls is started. There are fifteen colored girls in that large building. Always have been colored girls there. The building could be so much better used for the boys. A hundred boys could be housed in the same building. So this building has been started for the colored girls, and the carpenters did not get very far on it when the cold weather came.

35. And the heating apparatus over there is for that building?

A. If the pipes are over there, they are.

36. You don't know whether they are over there or not?

A. No, I don't; I don't think I have any of the pipes over there. Have some shingles and door frames and some other lumber.

37. Well, haven't you some radiators?

A. I am not sure.

(Questions by Representative Drury, of the Committee.)

38. In what way do you employ the girls here?

A. House work, which means all kinds of cleaning; laundry work; washing their clothing in this building. Most of them in this building are undergoing treatment for venereal disease, and their clothing is sterilized twice a week—that means lots of washing. In the other buildings we have a sewing room and the girls go to school half a day; cooking and general house work.

39. In other words, this is the receiving building?

A. Yes; after the reports come back from the university we keep on with the treatment until they show native; cleared up as far as they can be, then they are transferred to the other building.

40. If a girl comes in here that is clean, you don't keep her here?

A. No; after we get the laboratory reports then she goes over to the other building. Our great difficulty is not enough employment for the girls. In addition to the activities I have already mentioned, the girls are doing all the interior painting. They painted this room and did the weaving. They wove these curtains.

(Questions by Representative Cain, of the Committee.)

41. How many girls have you?

A. Thirty here; sixty in the other building, and fifteen colored girls—one hundred and five in all.

42. How long do they usually stay here?

A. A girl can make her seventy-nine weeks in fifteen months; that is the shortest—the average is about eighteen months; eighteen or nineteen.

(Questions by Representative Drury, of the Committee.)

43. Do you send them back home, or do you make any effort toward getting them employment?

A. That depends upon their relatives; kind of relatives; the interest they have shown. The girls who can go home are sent there, but through the parole officer adjustments are made. If a girl hasn't done well with her father or mother, why we see if an older brother or older sister or an aunt will look after her. Very few of our children have both father and mother.

44. What is your experience as to reformation with them? What do you feel about how successful you are on reformation?

A. Mr. Drury, nobody will know until the judgment day, but, still, judging from the percentage that are returned—right now I have only four or five returned girls who have broken their parole—it is encouraging.

45. So they are permitted to return home and are kept under the survelliance of the parole officer?

A. Yes; and here's a point which I noticed in Kentucky, the home feeling is so strong and the family feeling is so strong that it would be difficult, in fact, impossible for the parole force that we have, to keep these girls satisfied and content away from their folks; the same way with the folks; they want their kin back where they belong. So the best we

can do is to give the girls an idea of decent home-making and what education they can get; some idea how to spend their time, and with better standards of conduct and behavior, which they can only get from the officers around them.

And further the witness sayeth not.

This concluded the taking of evidence at the Kentucky Houses of Reform, at Greendale, Ky., on Monday, February 11th, 1924, and no further evidence was taken until the following day.

On Tuesday, February 12th, 1924, the committee visited the Eastern State Hospital, Lexington, but no evidence was taken there at that time.

Testimony given at the Capital Hotel, Frankfort, Kentucky before the investigating committee, at 3:15 p. m. Tuesday, February 12, 1924. Members of the committee present —Chairman Young and Messrs. Drury, Clark and Cain.

Ike Hart, being called by the committee to testify at the above time and place before them, and being first duly sworn, testified as follows:

(Ike Hart.)

(Questions by Chairman Young, of the Committee.)

1. Please give the committee your name, residence and business?

A. Ike Hart. I claim my home in Hopkinsville, but my business is in Cincinnati. I am living there, but go home to Hopkinsville; never give up Kentucky as my home. I am in the shoe business in Cincinnati; been in it thirty years.

2. Have you had any experience with the present management of any of the charitable institutions of the state with reference to competitive bidding for supplies and the awarding of contracts for same?

A. I have.

3. Will you please state to the committee what experi-

ence, if any, you had, and the result of that experience; just tell the whole thing in your own words?

A. The first items I ever got was the first year that this board bought 2,500 pairs of tennis shoes, when I bid 20 cents cheaper than I sold anybody else. Those tennis shoes I bought as a job lot and I could sell them at any price. Now if we buy direct from the factory we have to sell them like Arbuckles coffee—just one price, and no other. If we cut under that we are liable to a fine. We are allowed 8% and 8%; about 16%. Last year I put my bid in unbeknown to my boss, and I cut them one cent to see if I would get it. I didn't get it; Louisville house got it.

4. Do you know what Louisville house got it?

A. I understand String & Thalhammer; there wasn't so much profit in it anyhow, but I didn't get it. I have been sending my samples up there. Twice my samples came back unopened; never were opened. Last year I thought I would go to Lakeland myself. I came to Louisville and was walking down the street and met a young fellow by the name of Turner, manager of a gents' furnishing goods house. He said, "What are you doing here?" I said, "Going out to Lakeland." He said, "Wait for an hour and I will take you out." So I did, and we got there together. The man there said, "What are you doing here, Harve?" He said, "We bought our shoes yesterday; would not buy them from you anyways." Turner said to them, "What about our hosiery?" And he said, "Bought that yesterday, too." Turner got mad.

5. Was that on the 12th of the month?

A. I am not sure; but they advertised for one day, and I went on that day, and they gave it the day before. I looked at my samples and they had never been opened. That was the last samples I sent them. Mr. Wall meets all bids, I knew, and when I bid on some shoes up here once and found he was bidding, too. I knew he would get it. I didn't know that Mr. Wall bid on shoes there in competition to me. As soon as I

saw them I thought if I can't get them I hope you will get them. I went in to look at the shoes. I had the same shoes as Wall had but not the same number. My shoes were from five to ten and fifteen cents higher than Wall's. Of course, I didn't say nothing. I knowed that I would not get nothing. There was another man's shoes standing there from here named Goldstein, I think it was. They were buying the shoes. Of course also I got two hundred pairs of old ladies' shoes which nobody else would have bought. Of course I thanked them for that. About four weeks after that I walked into the depot at home. I saw about fifty or sixty cases of shoes standing there from Endicott Johnson. I took down the numbers. I said to Tom, "I see you have some shoes out to the depot; here are the numbers; now I would like to know what you paid for them." So Mr. Wall and I went out to the asylum. The doctor would not show us the bills. I called up the old ex-president of the board, Bob Cook. He telephoned back that any private citizen could see the books and the bills. The doctor would not then show them to us. Dr. Larue wasn't there. Dr. Durham would not have anything to do with showing us the bills. I went to the receiver and told him to call up Bob Cook. Mr. Cook said to him, "You have got to show them," and then he let us see them. We took down the prices they paid. Wall & McGowan had the same shoes, the same number and come from the same factory, and the same sizes; come from Endicott-Johnson's. They are the biggest concern in the world of their kind. No house in the United States that don't buy from them; they sell wholesale and retail. So we see that they paid to this Jew here from 15 to 30 cents more than Wall & McGowan had bid in the same shoe, the same number and made by the same people. And I know the samples went up there and were the same. I notified Judge Fowler—I think he was the Assistant Attorney General then, about this, and he come to Hopkinsville. I told Fowler—I was with him over two hours—I told him all about it. He said, "This must be a crooked crowd." He

asked me what about Byers. I said, "I don't know anything about him." He said, "Did Byers do the buying?" I said, "Of course he did; Byers does the buying and an old man here and my friend George Caywood. Of course George done the putting down." I says, "Now, let me tell you," I told Judge Fowler there is about 800 or a thousand dollars too much you are paying. I said, "Stop those checks." He said, "Don't start this; we can't stop those checks now." Wall & McGowan come to Frankfort and I would not go, on Monday morning.

6. About how many shoes were there in that lot?

A. The contract was for four or five thousand pairs for all the institutions, but I think there were forty or fifty cases in the Hopkinsville depot; that is six or seven hundred pair that went to Hopkinsville. They paid that much more. I swear to that and I know it and you will hear other people tell you the same thing.

(Questions by Representative Cain, of the Committee.)

7. How much did that amount to?

A. Between $1,500 and $2,000. I don't know whether anybody else got it. That Jew got that much more. I know how much Wall & McGowan figured. They figured them at 7%. 6% is regular discount; 1% extra if you discount inside of ten days. That was all Wall & McGowan wanted to make. Of course if he had gotten six or seven thousand pairs of shoes might have been made less.

8. Had you ever had any dealing with these people that was unsatisfactory in any way?

A. Never; very satisfactory; I only sold them two lots.

9. Had you ever sold any shoes to the other board?

A. Yes, sir; eight or ten thousand dollars a year.

10. Was there ever any dissatisfaction or trouble over it?

A. Never; not that I know of.

(Questioning resumed by Chairman Young, of the Committee)

11. You, as I understand you, didn't get this contract; you were not the competitive bidder; the next one to the fellow that did get the contract?

A. No; Wall & McGowan were cheaper than I was.

12. And Wall was the cheapest of all of them?

A. Yes; I tell you something else that happened. I know positively it did, gentlemen. I am blind in this eye and I can't see from there to you in this eye; am going to be operated on in this eye in the morning; was to be operated on this morning but I got a telegram to come here. I hope I go blind right now if this didn't happen. Either 100 or 200 pairs of shoes were given out to Wall & McGowan; called out Wall & McGowan, and I "hollered" to Wall, "Well Tom, you got either 100 to 200 pair." Well, we all took our samples along back and that sample was left there. About ten days after Wall said, "I got my samples back and didn't get no contract." That happened.

13. As I understand from you then when the bidding was going on they announced that they had awarded to Wall & McGowan contract for a hundred or two hundred pairs of shoes?

A. Yes, sir.

14. And afterwards they shipped his samples back and didn't give him any contract?

A. Yes, sir. I want to tell you another thing about my friend Colonel Bassett, of Hopkinsville, who run for Congress against Dave Kincheloe. This is the worst thing of all. He had a union suit there; the Carter Dry Goods Co. had a union suit there and Wall & McGowan had a union suit there. Now Carter and Major Bassett had the same number. Wall's wasn't the same number, but looked exactly like it. Now I don't know that this is true or not, but they bought 417 dozen—or was it 117 dozen. Carter had theirs

up at $12.50; Major Bassett had his at $12.00 and Tom Wall had his at $13.00, or $12.75. Who got it? My friend I. Davis, at $13.50. I know that is true; the same number, and Major Bassett swore an affidavit which went to the Governor's office, before Bob Cook, that he saw the numbers were the same and when he bought them at $13.50 I offered mine for $12.00 and Major Bassett said, "I don't want to have anything to do with that institution, although I am a Republican," and he never put in any more bids.

(Questions by Representative Drury, of the Committee.)

15. You said they told you they didn't want anything to do with you?

A. Oh, no.

16. The one at Lakeland said that?

A. Yes, he said that; he said, "We don't want to buy anything from you.

17. Do you know why he said that?

A. I don't know; he may have said it in a joke, but they had bought it the day before; that may be was his excuse; didn't wait for this other man or for me.

18. The day before they had the bid advertised?

A. Yes, sir; I had been sending my samples there and I know the last time I put the knife on them and put them at cost; still I didn't get them.

19. What year was that?

A. About four months ago; 1923, the last bidding. I put the shoes at just what they cost at Boston, with the freight on, and didn't make a cent; I wanted to see if I could get the contract, but I could not.

(Questions by Representative Cain, of the Committee.)

20. Have you ever appealed to any members of the board about this treatment, or mistreatment?

A. There was no use. I will tell you why there was no use. I understood that Mr. Tachau had the say so and I knew he would not go outside of Louisville to buy.

(Questions resumed by Chairman Young, of the Committee.)

21. He lives in Louisville, don't he?

A. I suppose so. I see suits of clothes two years ago that went at Hopkinsville for $13.00 that I would not have given $6.00 for; 80 or 100 suits; came from Levy Brothers. They are brothers-in-law of Mr. Tachau. But that is none of my business. Dr. Larue showed me the suits and said, "What do you think of them?" I said, "You paid too damn much for them." That is just what I told him.

I had lots of business with the old board. They would Jew me down and would buy where they could get the cheapest, but not with this board. I can name you a fellow, not very far from here, who put in 12,000 yards of cotton and Carter got for the same cotton ¾ of a cent more for the same thing; more than this man put in his bid. I don't know who ever got anything out of it; somebody must have been getting something out of this thing, because they paid awful big prices for the goods. They could make good money at 20% less than they paid. I showed you where on a few "lousy" tennis shoes, which I cut one cent, which I had no right to do it, but did it on the sly. I told my boys, "If you get it nobody knows anything about it; charge me up with that cent; I just want to try them." I didn't get it.

22. You cut a cent below the rule of the manufacturers?

A. Yes, sir; and which I had no right to do, and didn't get it.

And further the witness sayeth not.

The testimony of J. T. Wall, taken at Frankfort, Kentucky, at the Capital Hotel, on Tuesday afternoon, February

12, 1924. The said witness being first duly sworn testified as follows:

(J. T. Wall.)

(Questions by Chairman Young, of the Committee.)

1. Please state to the committee your name, residence and your business?

A. J. T. Wall, Hopkinsville, Ky.; member of the firm of Wall & McGowan.

2. Have you had any experience with submitting bids in this competitive bidding held by the present management of these charitable and penal institutions, and the contracts for furnishing supplies?

A. Well, not for two or three years. We used to make bids frequently. But I think it was in 1920, perhaps, was the last time that we made any effort to make a bid. I think it was at the July bidding, 1920.

3. That was the last bid that you made?

A. Yes, sir.

4. Well, will you state why you have not made bids since, if you have any reason, and what became of the bids that you made at that time; go ahead and tell all the facts and circumstances?

A. Well, at that time we made bids on shoes and on underwear. I thought we got 200 pairs of shoes, which were set aside. The sample was put aside for us and I was told that we got 200 pair.

5. Who told you?

A. Some one in the buying department; don't remember just now who it was.

6. Somebody letting the contract?

A. Yes; somebody, maybe the bookkeeper; I don't recall now who it was told me, but they told me I had 200 pairs of shoes of a certain shoe. In about a week or ten days I got

that shoe back without any explanation; kept the shoe several days, maybe ten days, and then the shoe came back. In the course of 30 or 60 days there was a big lot of shoes came into the Western State Hospital from the same firm that I was bidding for, Endicott-Johnson. I went out to the Western State Hospital to see about it and I found that they had bought the same shoe that we had taken bids on from me at a 25 cent higher price than I had bid on it, and there was a number of shoes that were bought. I looked over the invoice at the time and there were several shoes bought at higher prices than I had bid on them, but they only kept this one pair of my shoes when I made the bid. Now Mr. McGowan has the little book that tells the cost and the bid that I made.

7. What Mr. McGowan is that?

A. Young Mr. McGowan here. You can take that book and look over the invoices from the different institutions of the state and you can tell exactly the amount, and what shoes were bought at a higher price than my bid was.

8. And do you remember what your bid was?

A. Yes, sir; it was $3.25.

(Questions by Representative Drury, of the Committee.)

9. And they paid $3.50 for the same shoe?

A. Yes, sir; paid $3.50.

10. Made by the same people?

A. Yes, sir, made by the same people; same lot number; same in every particular absolutely; that's why I say you can take this book and find exactly about this.

(Questions by Senator Clark, of the Committee.)

1. Who got that bid?

A. Man by the name of Goldstein, I think it was.

(Question by Representative Drury, of the Committee.)

12. Where is his place of business?

A. Frankfort.

(Questions resumed by Chairman Young, of the Committee.)

13. Was the freight rate in favor of the shoe they bought?

A. In favor of it?

14. Wasn't the freight left on the shoes that were shipped to them?

A. No; shipped from the same factory; from the same place; all came from the same factory.

Then I was bidding on underwear, and Col. Bassett, who is from our town, called my attention to it, and come up to me and said, "Mr. Wall, you have got the underwear." He is a dry goods merchant down there. He says, "You have the best bid on underwear;" says, "You have got that nailed down." I says "All right; I didn't know it." I went over and looked at it and Mr. Smith, the buyer for the Carter Dry Goods Company, was there also, and he came up and examined the underwear. That was before the bids were awarded. My price was $11.50; they wanted $12.75 a dozen, in my recollection, and my price was $11.50; Carter's was $12.00, and Bassett's was $12.50, and some one else's was $13.75.

15. Who was that?

A. I think it was I. Davis.

16. Where does he live?

A. Here in Frankfort. Smith and Bassett both said I had the underwear, but when it come out Mr. Davis got it. I don't know how it was, nohow.

(Questions by Representative Drury, of the Committee.)

17. At $13.75?

A. Yes, sir.

18. And yours was $11.50?

A. Yes, sir; 275 dozen was what the requisition called for.

19. Was their underwear a better underwear than yours?

A. Well, we didn't think so. I don't state that myself; I mean by that that I would like to have that substantiated. I would like to have Col. Bassett, who is a regular dry goods man, to substantiate that.

(Questions by Representative Cain, of the Committee.)

20. Who bought this stuff; who was responsible for closing the deal; who was awarding the contracts in charge there?

A. Mr. Byers was the commissioner, you know; supposed to buy all the merchandise.

21. He was there, was he?

A. Yes, sir; he was in the room when the sale was on.

(Questions by Senator Clark, of the Committee.)

22. Was any one else there besides Mr. Byers?

A. Yes, sir; Mr. Caywood was there and some one else. I don't recall who the other one as.

(Questions by Representative Cain, of the Committee.)

23. Did you make any complaint to the board about the way they had treated you?

A. I don't recall that I did.

(Question by Representative Drury, of the Committee.)

24. Did you make any complaint to Mr. Byers?

A. No, sir; don't think I did.

(Questions resumed by Chairman Young, of the Committee.)

25. You say that is the last bid you put in?

A. That is the last bid except one little bid I put in here not long ago. We had bought out a firm down there in which we had about 100 to 150 caps, good caps, you know, that the wholesale price was from $12.00 to $24.00 wholesale. They were odds and ends and I just offered them to Dr. Durham for 50 cents apiece if he would take the lot. He said Mr. Tachau was down there at the time and he said he would call his attention to it, and he said Mr. Tachau said send them to Frankfort, and I did. And Mr. Byers wrote me to make out a requisition and a whole lot of red tape about it, and I wrote him word that if I had known that he had anything to do with it that I would never have submitted the samples and to return my samples by next mail, which he did.

26. Are you sure, Mr. Wall, that the shoes that were shipped in there were the same shoes, identically the same kind of shoe that you offered?

A. Yes, sir; they were the same shoes; the same lot number and made by the same firm.

(Questions by Senator Clark, of the Committee.)

27. Are you a retailer?

A. Yes, sir.

28. Why doesn't an institution of this size buy directly from the factory, in your judgment?

A. Well, I don't know. They don't like to buy out of the state, you know. There are so many state buyers that there is very little difference. You can notice my bids, what

a little margin we expect to make on a shoe, and those things are done altogether; some of these factories won't sell the state. They will only sell the customer. Some factories won't sell retail merchants unless you take a certain quantity. But the board I suppose could have bought direct from the house.

29. I was thinking a bill of that size should have come direct from the factory and save the state money.

A. I expect they could; but sometimes these factories won't submit a bid where they have a number of customers in the state. They would rather for some of their retail customers to handle it.

(Questions resumed by Chairman Young, of the Committee.)

30. You said something awhile ago about some unknown firm buying or selling clothing. What was that. I didn't catch that exactly. Explain what you mean by that, Mr. Wall?

A. There was an unknown firm made bids at that time and got the clothing. I never did find out who they were. I inquired of every Louisville man that was there—Levy Bros.' man, Carter Dry Goods man, and three or four others were there, and none of them had ever heard of that firm in Louisville that got all the clothing. I don't remember the name even; didn't pay any attention to it.

31. Do you remember when that was?

A. In 1920; same time that this other happened.

(Questions by Representative Drury, of the Committee.)

32. Is that all you know, Mr. Wall?

A. Yes, sir; all I know about it.

(Question by Chairman Young, of the Committee.)

33. What is your politics, Mr. Wall?

A. I am a Democrat.

And further the witness sayeth not.

Also the testimony of J. H. McGowan, taken at the same time and place as that of the preceding witness, to wit, at the Capital Hotel, Frankfort, Ky., on Tuesday afternoon, February 12, 1924. The witness, being first duly sworn, testified as follows:

(J. H. McGowan.)

(Questions by Chairman Young, of the Committee.)

1. Please state your name, place of residence and business?

A. J. H. McGowan, Hopkinsville, Ky.; member of the firm of Carey & McGowan.

2. If you or your firm have ever had any experience with the present management of the charitable and penal institutions of the state with reference to competitive bidding for supplies for these institutions and the awarding of contracts for the same, please state what?

A. Not my present firm. I had the bidding of contracts under Mr. Wall there; Wall & McGowan, my father. I made a bid for them.

3. Well, will you please state to the committee about your experience, in your own way?

A. I submitted a line of shoes manufactured by Endicott-Johnson, of New York. Mr. Wall was present, I believe, when they were submitted, at the Capitol, down in the basement.

4. Do you remember when that was?

A. Don't remember the exact date; no, sir, I don't.

5. About?

A. It has been about three or three and a half, maybe four, years ago.

6. After the present board took charge?

A. Yes, sir; Mr. Byers was the buyer.

7. Go ahead.

A. We submitted the bids on these shoes and before Mr. Byers and the ones who did the buying come down we all looked over everything and compared prices. The samples were displayed with price on the samples just like the contract called for. We looked at all the lines. I had one line of shoes. I compared that with the other concerns and with the manufacturers; found there were two people there who had the same shoes from Endicott-Johnson, and I made a comparison with the price and the shoes we bid were anywhere from ten cents to forty-five cents a pair under the man who received the bids.

8. You mean that the man who received the order was that much over you?

A. Yes, sir.

9. The man that received the bid had what kind of shoes?

A. Endicott-Johnson, New York.

10. Was it the same shoe that you bid on?

A. Identically the same shoe, same number and same manufacturer.

11. Do you know anything else about it?

A. Well, before I come up here to make this bid I got these samples from Bob Vaughn, of Glasgow, Ky. I said I want samples to submit to the Frankfort Board to furnish the institutions. He said, "You haven't a chance to get that bid." I said, "Why?" He said, "You haven't, but I will furnish you the samples." Him making that statement to me naturally made me suspicious of what was goiny on. Col. Hart was with me at the time I watched this transaction go-

ing on. I think Mr. Wall watched, too. I watched it through a crack in the wall.

12. What did you see, if anything?

A. Well, I saw Mr. Byers and Mr. Caywood looking at the different samples. I see them look at my samples of shoes; see them look at Goldstein's samples of shoes. I see them take a sample out of our line and lay it over to one side. I didn't see anything further than that.

13. Well, were there any of the prices changed?

A. No, there were no prices changed on the shoes in this instance with the exception that my prices were lower than Goldstein's price. Now if you would go to Mr. Byers and get that bid that was put in by Wall & McGowan and the bid that was put in by Endicott-Johnson and compare those lot numbers, and those prices, which he ought to have a record of, you will find that they paid him from fifteen cents to forty-five cents more money for the same shoe manufactured in the same factory.

14. Will you give those lot numbers and the bids?

A. Yes.

Lot Number.	Bid
106	$2.60
107	2.75
109	2.75
100	2.40
350	2.35
1272	3.50
1460	4.00
212	3.15
1315	4.50
1314	4.50
1470	4.50
1475	4.20
1462	4.00

425	3.50
425½	3.25
250	3.90
1304	3.85
1307	3.85
1260	3.50
352	2.90
326	3.30
337	3.30
1600	3.75
1680	3.75
1612	3.95
1632	3.50
1616	4.15
1601	3.25
1681	3.25

15. Now, do you know which of these lots they took?

A. I went out to the Western State Hospital and examined those shoes after they come in and I found shoes that they had bought that they had paid as high as 25 cents a pair more money than I bid on them. The exact lot number I don't know. I had it and gave it to Mr. Wall, and he lost the papers, but it was one of these numbers, and you can tell from the invoice. If you will get Goldstein's invoice to the State of Kentucky and get the lot number off of it you can get the price exactly.

16. Is there anything else that you know about?

A. No. But this is the second time that I have been up here on this proposition. I was summoned up here on this same thing three years ago.

(Questions by Senator Clark, of the Committee.)

17. Did you call this to the attention of the board at the time you found out about it?

A. No, I didn't do it, but it was called to the atten-

tion of the board, because Col. Bassett made an affidavit about the underwear; but their attention was called to it; Mr. Wall made a statement about it, too, I think. I know that Mr. Bassett made an affidavit about it.

(By Chairman Young.)

18. What is your politics?

A. I am a Republican.

(Questions by Senator Clark, of the Committee.)

19. Who was it over there examined these samples and decided as to which price they would take?

A. Well, Mr. Byers examined the samples, and Mr. George Caywood; both of them.

20. What were his duties; was he connected with the board at that time?

A. Yes, sir; but I don't know in what capacity.

21. Did he have any right to determine the matter or was that up to the commissioner?

A. I could not tell you.

22. Wasn't there a Mr. Simpson there?

A. Yes, sir; since you mention it, I remember he was there.

(Questioned by Representative Drury, of the Committee.)

23. You say you were called up here before?

A. Yes, sir.

24. What about?

A. Gov. Morrow sent me a telegram to come up here and talk to him about this same proposition and I appeared before him about three years ago.

(Questions by Chairman Young, of the Committee.)

25 Tell him about this?

A. Yes; was with him and Attorney General Dawson quite awhile; told them about it. They seemed to disagree about it. Morrow would not say anything at all and General Dawson expressed his opinion and told Morrow what he thought about it.

26. What did General Dawson say about it?

A. Said he thought they had a damn thief in the crowd; that was what he said.

(Questions by Representative Drury, of the Committee.)

27. I believe Mr. Wall testified that they put aside one of your shoes and said that they were going to take 200 pair of them?

A. In the neighborhood of that.

28. Do you remember the number of them?

A. No, I don't remember that, but I know one thing; I bid $3.25 and they bid it at $3.50; 25 cents more money than I bid on it.

29. Who was the man that submitted the samples that they made the purchase from?

A. This fellow Goldstein, down here in Frankfort. He is with Rosenstein Bros., here in Frankfort. This fellow Vaughn, I think his name is R. H.—no, his name is Bob Vaughn, from Glasgow, Ky., traveled for Endicott-Johnson; traveled the State of Kentucky for them—he submitted samples to all the merchants and they went to him to get samples and prices to submit to the state, and he told me that he had to split his commission with this fellow here in Frankfort. He got at that time about five or six commissions on his bills that he had to split in order to pay a man to buy these shoes.

30. Where did that man live, you say?

A. Glasgow, Kentucky.

31. Where do you live?

A. Born and raised and live now at Hopkinsville, Kentucky.

(Questions by Representative Drury, of the Committee.)

32. What brought about this investigation, and caused Governor Morrow to call you up here, if you know?

A. Yes, sir; when Col. Bassett and Mr. Wall were raising Cain about the way this stuff was bid, Governor Morrow went down home and I told the Governor personally that he had a man up here that wasn't buying stuff right; not at the lowest bid. An election was coming on and it was threatened to be used, and he wired me to come up here. I went to Judge Fowler's office first and talked to him and General Dawson and then went to see the Governor.

33. Fowler was then Assistant Attorney General, wasn't he?

A. Yes, sir.

34. And he is now a member of the firm of O'Rear, Fowler & Wallace?

A. Yes, sir.

And further the witness sayeth not.

Also the testimony of John Roach, given at the same time and place as that of the preceding witness, to wit, at the Capital Hotel, Frankfort, Kentucky, on Tuesday afternoon, February 12th, 1924. The witness being first duly sworn, testified as follows:

(John Roach)

(Questions by Chairman Young, of the Committee.)

1. Will you please state your name and residence?

A. My name is John Roach, and I live at Hopkinsville, Kentucky.

2. Were you ever connected with the state asylum at Hopkinsville, Kentucky?

A. Yes, sir; I was the oldest white employe over there.

3. How long had you been connected with it?

A. About 47 years.

4. You went through all of the administrations, Republicans and Democrats?

A. Yes, sir; so I did.

5. In what capacity?

A. I was gardener for 35 years, and after that then I became florist, and I was in charge of the green house about 12 years; had charge of the lawns, flowers and shrubs.

6. Are you still in the employe of the institution?

A. No, sir; Doctor Durham fired me; in other words, discharged me on the 2nd of July last, without any cause whatever.

7. Was there any complaint made of your work, or the manner in which you discharged your duties there?

A. I don't know of any, sir.

8. Was there any made to you?

A. None whatever.

9. Before you were discharged did you have any commendation of any kind about your work?

A. No, sir?

10. I mean by that—I mean by commendation—I mean did any body give you any assurance that your work was good and satisfactory and all right?

A. Nobody made any complaint whatever.

11. Did you have anything that was commentory about your work then; anybody say anything good about your work?

A. I don't remember, sir.

12. Did you get a letter of recommendation from them?

A. I did later on.

13. Who was that letter from?

A. From Dr. Durham.

14. The man that discharged you?

A. Yes, sir.

15. How long after you were discharged until you got the letter?

A. Well, about two or three weeks.

16. Can you give to the committee the substance of that letter?

A. Yes, sir.

17. Well, do it.

A. The letter contained the words "to whom it may concern; I have found that John Roach has been industrious and trustworthy and extremely honest in all of his dealings."

18. In what condition did you leave the premises there with reference to the lawn, the shrubbery, the flowers, and the greenhouse?

A. I left them in good condition.

19. Comparing their condition then and now—when were you discharged?

A. On the 2nd of July, 1923.

20. Any difference now and then with reference to how they are being kept?

A. Not a bit, sir; we done the best we could with the help that we had all the time, but we had another crowd there from what Doctor Durham had to cut the grass on the lawn. I think he ordered about twenty lawn mowers to give the negroes to work with.

21. When they turned you off, what gentleman did they put in your place?

A. A colored man; his name is Will Fentrick.

22. Do you know Fentrick's politics?

A. No, sir; I can't tell you a negro's politics; he is first one thing and then another.

23. Do you know what experience he had had prior to his employment there in landscape gardening and attention to flowers?

A. He had had no experience whatever in that line of business only under my orders; what I told him to do, etc. But Dr. Durham put him in charge of the white patrons at work for him.

24. About how many did you have under you?

A. At that time I had three.

25. How many has he got now?

A. He has got about 25 negroes working for him. That is why I expect he got the place. He could turn it up side down when he gets ready.

26. Negro patients, or outside negroes?

A. Negro patients. If I wanted two or three lawn mowers, it would be very hard for me to get them, but he bought them by the wholesale and turned them over to the negroes; they are dear; cost $6.00 or $7.00 a piece.

27. Did you have enough to work with?

A. I got along the best I could with old traps; they were not good.

28. Can you give the committee any reason, Mr. Roach, for your discharge from that place?

A. None whatever, sir; I just simply got a check for my month's wages without any words or explanation whatever. It was handed to me by the supervisor after my dinner; that was all; but he sent the negro up there that afternoon and the negro told me that there was going to be an expert come there that evening—but he hasn't come yet. Well,

he didn't need an expert. He would not want to pay $150.00 a month.

29. What did you get?

A. I got $45.00 a month.

30. Do you know what this negro gets?

A. I think he gets about $50.00.

31. Well, while you were there, did you have occasion to observe the farm that they had there; the things that were raised on it; the way it was kept?

A. I ought to; I worked at it about 35 years; that is, the principal farming that is done there is gardening; growing vegetables, corn, etc.

32. Who had it in charge just after you gave it up?

A. A man named Lawton took charge.

33. Was he there when Dr. Durham went there?

A. No, sir; Dr. Durham hired him and brought him back there.

34. Who was in charge of it when Dr. Durham went there?

A. It was a Mr. Vaughn. He is here now. He is on the place right now.

35. Did you have occasion to observe the manner in which he kept and worked it?

A. Yes, sir; he kept it very well; he raised a lot of stuff there and done right well, but he was fired out to make a place for Mr. Lawton, Dr. Durham's special friend.

36. What was the politics of the fellow that was fired?

A. He was a Democrat.

37. What was the politics of the man that was put in?

A. A Republican; a black Republican; yes, sir.

38. Does the man that is there now—has he been raising as many vegetables as the man he turned off?

A. No, sir; not half as much.

39. Is the man now in charge that Dr. Durham put there —has he any relatives in the vegetable business?

A. Well, there is one man there that Mr. Lawton has —there is another man there, the farm boss, that helps him a whole lot—Brumfield. Brumfield's son is the superintendent's private secretary; father and son on the job.

40. Did they have anything to do with the sale of vegetables to the institution?

A. Yes, they have sold strawberries. They grow quite a lot of strawberries and sold quite a lot of them, too; but anybody could do that. I was considered a great strawberry grower, but I grew entirely for the patients in former years.

41. Does this last man sell any?

A. Yes, sir; he sold a lot of them.

42. Who does he sell them to?

A. I can't tell you; I think they ship some. I have seen a lot of crates with strawberries in them ready for shipping there. They ship them out, but I know no more about it.

43. Well, from your observation of the two men, the man that was turned off and the man that took charge under Dr. Durham, which, if either one, in your judgment, kept the farm in the best condition and raised the most stuff—which one?

A. Well, the man that Dr. Durham fired was the best man and produced the most. There were not many strawberries there when he was hired, but he turned in and planted a lot of strawberries and gave them the first start.

44. Was he a real capable man?

A. Yes, sir; a real capable man; a young fellow.

(Questions by Senator Clark, of the Committee.)

45. How long had the fellow been there that he turned off?

A. He was there about a year or two, I think.

46. The fellow that took his place—had he ever worked there before?

A. No, sir.

47. Do you know where he was from?

A. From Corbin, Kentucky.

48. Did you have any one depending on you for support at the time you were discharged—any family?

A. Yes, sir.

49. Who?

A. I had my daughter and her three children.

50. What is your age?

A. I am about 70, but as well able to work at my business yet as I ever was.

There are several other things I could mention that were not very satisfactory.

Chairman Young—Go ahead.

In regard to the greenhouse, Dr. Durham, or the Board of Control, or whoever was in control of it, didn't do my department justice at all. On one occasion I had two carnation benches to fix up where the planks rotten down completely so that they would not hold up any dirt. Dr. Durham put the carpenters to work on them and fixed them up about half way; then he drew the men away from there and we, myself and my patients, had to do the work. There was no bench there; the carpenters cut out the legs for the benches and Dr. Durham drew them away and they are there yet; at least they were when I left; drew the carpenters away and let that much work go to loss. There was several little matters that way. He was simply against me because I was a Democrat.

And further the witness sayeth not.

Also the evidence of Dr. E. H. Morgan, given at the same time and place, to wit, the Capital Hotel, at Frank-

fort, Kentucky, on Tuesday afternoon, February 12th, 1924. The witness, being first duly sworn, testified as follows:

(Dr. E. H. Morgan.)
(Questions by Chairman Young, of the Committee.)

1. Will you please give the committee your full name, residence and occupation?

A. My name is Edward A. Morgan; my residence is Burkesville, Kentucky, Cumberland county, my permanent residence; I am a physician by occupation.

2. Were you ever connected with the Western Kentucky Asylum, located at Hopkinsville, Kentucky, or near there?

A. Yes, sir; I worked there from January 1st, 1923, until the close of 1923.

3. While you were there, what position did you hold?

A. I held the position of senior physician, and I held the position of assistant superintendent for fifteen days.

4. While you were there were there any deaths occurred in the institution?

A. Oh, yes, a number of them; usually a number of deaths each month.

5. Was anyone scalded to death while you was there?

A. Yes, sir; man died from the effects of a scald while I was there.

6. Man or woman?

A. Man.

7. State to the committee the circumstances under which it happened.

A. This patient was taken to the bath room to be given a bath and placed in the tub and the helper patient who was helping the attendant on the ward, turned on the water, and the water was hot enough to scald the patient and caused his death.

8. Was there anything the matter with the patient in the tub that he could not get out of the tub?

A. Yes, sir; his diagnosis was general paralysis of the insane, and he didn't have as much activity as the normal man.

9. Who was in charge of that ward?

A. The attendant of that ward was a man by the name of J. L. Sands. That ward was under my supervision, and Dr. Durham was superintendent.

10. Do you know where Sands is now?

A. Well, I know where he was when I left that institution. He was still working there as foreman of what is known as the broom factory.

11. Was that a promotion from the position he held when the scalding took place?

A. Yes. The scalding took place, as I understand it, from a change that had been made in the plumbing; whereas the old plumbing allowed the hot water to come on gradually and allowed the water to heat up gradually, and something had been done to the plumbing and allowed hot water to shoot in immediately and scalded this man before he could be taken out of the tub. The attendant is supposed to test the temperature of water as it runs in, but the patient's helper turned on the water after putting the man in the tub.

12. He evidently didn't test it, then?

A. Guess not.

13. Was that the cause of the death of that man?

A. It was. It caused the skin to slough from about two-thirds of that man's body. When it sloughs from half death is usually inevitable.

14. You are not now connected with the institution?

A. No, sir; not since I have been rolled.

15. Do you know why you were disturbed there, Doctor?

A. I do.

16. Well, state then what it was.

A. The superintendent gave out the information that he discharged me for disloyalty and on December 25 I was in my office and the superintendent came into my office and says, "Doctor, I understand you have a letter in your pocket from the Governor—Governor Fields, of Kentucky." I said, "What if I have?" He said, "If you have written to the Governor, or if you have received a letter from the Governor, your time is up." I said, "You are the superintendent; I guess that ends it." So he left the room hurriedly; says, "I have got to go down town and attend a club," or attend a meeting of some kind, or see a party down there, "but will dispose of this matter next morning." The next morning he told me I could consider myself discharged from the institution. So I left in about a couple of hours.

17. Had he grumbled or been dissatisfied with your work?

A. He had not; he had complimented my case history on numerous occasions. Dr. Wm. A. White is superintendent of St. Elizabeth's Hospital, District of Columbia, supposed to be the leading hospital of its kind in the United States, and Dr. White is an author of a book that we use in this state hospital. So I put that line in vogue myself during Dr. Durham's absence, while he was in New York taking a post graduate course last February and March, and when he came back I asked him how he liked the outline. He said it was all right. I said, "We will continue using it then. It furnishes a very complete history of the patient's case." That has been used since I went there.

I served as assistant superintendent for fifteen days and then he appointed Dr. W. R. Sommer, from Missouri, in my place. He gave me this letter before I left.

18. Please read that letter.

A. "Dr. E. A. Morgan,

"Hopkinsville, Ky.

"Dear Doctor:

"As we come to the end of the year 1923 and enter into the holiday season, I wish to extend to you, on behalf of the institution, the State Board of Charities, and myself, as superintendent, a wish for a merry Christmas and a happy new year, and to express my appreciation for your loyal and faithful service during the past year, which has enabled our institution to finish the year 1923 with its best record, and to express to you the hope that you will continue in our service during the coming year.

"Very truly yours,

"(Signed) WALLACE W. DURHAM, *Superintendent.*"

"December 24, 1923."

18. How long after you got that letter until you were discharged?

A. I received this on the 24th, and I was virtually discharged on the 25th, and finally let out on the morning of the 26th. He came there and we had a conversation that I repeated a while ago, on the 25th and on the morning of the 26th he told me that I was leaving.

20. What is your politics, Doctor?

A. I am a Democrat. I was appointed to the position of assistant superintendent and was only able to retain the position for fifteen days, and resigned under political pressure of the superintendent, who came to me and asked me my politics before he ever appointed me, and said "I have been asked to find out what your politics is before I appoint you to this position;" said, "I don't know whether I am going to be able to appoint you or not under the circumstances." Due to the fact that I was the senior physician on the staff, the position naturally fell to me, upon the resignation of the

man who preceded me—Dr. Davis—who was there before I occupied the place.

21. Well, you never did get the appointment?

A. Got it for fifteen days only.

22. Do you know what contracts the superintendents and the supervisors have in the embalming and shipping of bodies from the institution?

A. The supervisor told me himself that when Dr. Davis was employed at the institution, he, the supervisor, and Dr. Davis did the embalming and received fifteen dollars for each body that they embalmed, and that the fee was divided equally between Dr. Davis and the supervisor and the superintendent, W. W. Durham. Then after Dr. Urey Davis left the institution, Dr. Durham ordered the supervisor to continue the embalming at the same fee, fifteen dollars, and that fee is split equally between the supervisor and the superintendent, according to the superintendent's own statement, and also that was the statement that Dr. Davis made before he left there as to the division when the three of them were there.

23. Where does that fee come from?

A. Really I could not say who that fee is charged to. I presume it is charged to the guardian or relative of the dead person. I could not say about that.

24. Do they ship some of them to these medical schools?

A. They do. They shipped all unclaimed bodies to the medical school.

25. Do you know what the medical school pays for them?

A. No, I really don't.

26. Do you know the politics of the Missouri man that took your place?

A. I know that when he first came there he claimed to be a Democrat, but it pretty soon looked like he was a Republican. He is strictly in line with the Republican admin-

istration down there. He went to Missouri just before the August primary and he made the statement that he was going to see that some of the Democratic vote was gotten out at the institution, but instead of doing that, he must have made some kind of trade with the superintendent, wherein he placed his wife as matron of the hospital, and he brought his wife from Missouri and she was placed as matron of the hospital, at the time, and has been matron ever since.

27. Do you know Dr. Durham's politics?

A. Yes, I do; he is a Republican; strong as they ever get to be.

28. Have you ever talked politics around the institution, or anything about candidates?

A. Yes; more or less. I have heard several conversations bordering along that line; nothing of any importance though, I believe, on that particular subject. I heard him make some statements about some candidates. I heard him make a statement about Cantrill, when he was making the race. He said Mr. Cantrill was a politician and one that wasn't to be depended upon or relied on in any manner whatsoever, and I heard the wife of this Mr. J. L. Sands say on three different occasions that Dr. Durham told her to go to the polls and vote for Mr. Charles I. Dawson, and I also heard the stenographer make a similar statement. During the November election the Republican employes were furnished conveyances to the polls and the Democrats, who were very few in number, at that time, at least, had lined up that way, walked to the polls. One lady in particular, who has charge of the shoe room, expressed a desire to be taken to the polls to vote, and she came down to the front office, known as the supervisor's office—made three different trips down there—and the supervisor sent her back and said that when they got ready for her they would send for her. They continued that until almost time for the polls to close. She started out on foot and walked part of the way, and from there on some one conveyed her.

29. The Republicans that they took to the polls—what sort of conveyances did they have for them?

A. Took them in a state car; automobile used for conveying patients and attendants to and from town and for hauling in the mail from town to the institution. The automobile belongs to the state; have a couple of them and some trucks; hauled them in this Ford automobile and this Dodge automobile.

30. How is the mail distributed down there? Does it go through the superintendent's office?

A. Yes, sir.

31. And that is how he knew you had a letter from Governor Fields?

A. No; I had a lock box down town because I thought that my mail had been censored. About one hour after I got the letter and put it into my pocket, he came through and made that statement.

32. Is the postmaster a Republican?

A. Yes, sir.

33. Would have to come through the postmaster then?

A. I don't know. I had not said a word about it; had no occasion to speak of it and had not spoken of it.

34. Did he want to know what was in the letter?

A. No, he didn't ask me the contents. The mail used to be distributed in what is known as the supervisor's office down there. When you enter a building, you pass into a dark hallway and turn to the left and pass into a large hall which has a large desk sitting near the center of the room. Formerly the mail was just poured out and distributed on that table to whoever received the mail there; just a short time before the election the superintendent had this mail pouch taken to his private office, and at certain mail times he had the door closed and his private secretary distributed

the mail and at other times the door was open, but his private secretary continued to distribute the mail.

35. But this particular letter you got through your box at the post office?

A. Yes, sir.

36. And he just asked you if you did not have a letter from the Governor? From Governor Fields?

A. Yes, sir.

(Question by Representative Cain, of the Committee.)

37. And it was on that that he discharged you; because you had a letter in your pocket from Governor Fields?

A. That is it. You heard me read the letter that he gave me the day before, and the next day we had the conversation. That is just about the words that passed between the superintendent and myself.

38. And you hadn't the least idea that you were going to be discharged, and especially after getting this letter that you got the day before?

A. No. I thought a man had a right to write to anybody he wanted to, or get a letter from anybody he wrote to. Now, I had resigned and withdrew my resignation with the superintendent and he sent for me just a few days before this and told him, "I have made up my mind that I am going to stay, Doctor," and he consented for me to withdraw my resignation. I said, "I am going to stay unless you kick me out." I guess that was on the 23rd or 24th of December; could not say which.

(Questions by Senator Clark, of the Committee.)

39. Then you had tendered your resignation before you quit?

A. I had tendered it and withdrawn it with the superintendent's consent.

40. How long had the superintendent been keeping up the various things that you mention here before you resigned?

A. Which ones do you mean?

41. About his political activities, or bringing pressure to bear on you that forced you to resign as assistant superintendent?

A. Well, that was in last April, I believe; he made it so hot for me that I knew he did not want me to have the place. He come to me and said he had been advised to come to me and find out what my politics was.

42. Did he give you any information as to who advised him to require that; did you ask him as to who told him?

A. Don't know that I did; anyhow he didn't advise me.

43. Why was it you sent in your resignation?

A. He made it so darn unpleasant for me that I did not want to stay.

44. The same man that wrote this letter to you?

A. Yes, sir.

45. Have you made it known to the board about his conduct down there; in other words, have you called the attention of the board to his activities down there before you were discharged?

A. No, I have not. I didn't think I would get anywhere with it if I did.

46. Do you know whether or not that institution, or any of the parties in charge there, received anything for those dead bodies?

A. No; I don't know about that.

47. Did you have any information that they were getting paid for the dead bodies that they were sending to the universities?

A. No, only in a casual way; I just understand that the University of Kentucky, or the medical universities paid so much for each body that was sent there.

48. What was your information that they paid?

A. I don't know; don't know what the price is, or was, but I naturally presume that the institution receives a fixed and a set price; I should think so.

49. During the time that you stayed there, did the superintendent object to any of your work; the way you were doing it?

A. Did not.

50. Did you hear any complaints from him about any of your work there?

A. No.

51. I believe you stated you were in charge of the ward on which this man got scalded?

A. I was.

52. Was it your duty to look after the different patients in that ward?

A. It was, to a certain extent; not my duty to go in there and bathe the patients.

53. Was it to be done under your supervision?

A. No; under the supervision of the ward attendant.

54. Under your orders?

A. No, not under my orders; just a general custom of the institution that they have certain bath days each week when all patients in the institution are to be bathed.

55. Was this a special bath for that special patient, or a general bath?

A. So far as I know it was an ordinary routine bath.

56. What was the physical condition of that patient the morning he was placed in that bath tub?

A. Was affected with general paralysis of the insane.

57. Could he walk?

A. Yes.

58. Was his fever normal?

A. I would not think so.

59. Could he have gotten out of the tub without help?

A. I doubt it very much, without help.

60. What was your best opinion about that—what you observed about it?

A. I would answer that by saying I don't believe he could have gotten out without someone helping him out. However, it is the attendant's duty to bathe the patients and not the doctor's. The general orders are all carried down the line from the superintendent.

61. How long had this patient been in there?

A. Could not say the exact number of days, but just a few days; probably two weeks; would not be positive about that.

62. Do you think there was any motive on the part of that attendant there to bring about that fellow's death?

A. Oh, no; I don't think so.

63. Did that attendant have one of those patients in the hospital in charge of bathing that patient?

A. He did.

64. What is the condition of his mind?

A. He was an inmate of the institution. There are such patients on most every ward; probably one designated to keep up the clothes room, etc. In this particular instance, this man was helping to do the bathing; others do the mopping; to carry out the trash, etc.

65. The man that was helping to do the bathing there that morning—what was the condition of his mind?

A. I don't know who he was.

66. Was he of sufficient mentality to leave him in charge of the patients?

A. I don't remember about this patient personally; should not have been done, but it was.

(Questions by Representative Cain, of the Committee.)

67. Is it customary to put the patient in the tub and then draw the water?

A. No; should not be done.

68. And that was a violation of the rules.

A. Yes.

69. Was any attention paid to that attendant on that ward?

A. No; he was not discharged. He is now in the broom factory.

70. It is a positive rule that the water must be drawn first?

A. Don't know whether it is a positive rule or not, but it should be done. Don't know whether that particular attendant had ever been told to do that or not; all orders originate with the superintendent and are sent out by him.

(Questions by Senator Clark, of the Committee.)

71. Do you know whether or not he was just placed in the tub there and the water turned on and let run?

A. Yes; that is my understanding, and the water came on hot instead of cold or warm.

72. Do you know whether or not he made any demonstration or hollered for help?

A. No; I wasn't present.

73. Have any information about that?

A. No.

74. How long after he was scalded until you were called to see him?

A. Just a few minutes. Could not say how long; just as soon as this attendant found that the patient had been scalded, I presume he called me.

75. How long did he live after he was scalded?

A. I believe about twenty-four hours, as well as I remember.

(Questions resumed by Chairman Young, of the Committee).)

76. As I understand it, the attendant having charge of that ward, it is his duty to see to the bathing of these patients? Is that correct?

A. Absolutely.

77. Does the doctor have anything to do with that?

A. The doctor has nothing to do with the bathing of a patient.

78. Has the doctor of that ward have the right to set up rules and regulations, or do they come from the head of the institution?

A. The rules and regulations come from the superintendent absolutely.

79. Will you take the report of the State Board of Charities and Corrections for the Western State Hospital and state how many dead bodies according to that report died during the year?

A. The number of deaths in the western institution for the year ending June 30, 1923, according to this report, is 145.

80. What is the name of that receiver that said he split up the fees?

A. That was the supervisor.

81. You say that he told you that he and the superintendent now split up the fees for each one that is embalmed?

A. Yes, sir.

And further the witness sayeth not.

Also the testimony of Junius Southern, given at the same time and place as that of the preceding witness, to wit, at the Capital Hotel, Frankfort, Ky., on Tuesday afternoon, February 12, 1924. The witness, being first duly sworn, testified as follows:

(Junius Southern)

(Questions by Chairman Young, of the Committee.)

1. Where do you live?

A. Hopkinsville.

2. How long have you lived there?

A. Been there about 24 years.

3. Have you ever worked at any of these institutions?

A. Yes, sir.

4. What did you do?

A. I was yardmaster there once, and run on the mail trucks sometime.

5. Are you still employed there?

A. No, sir.

6. When did you leave the service?

A. Been about a year ago; little better than a year ago.

7. Before or after Dr. Durham became superintendent?

A. After he became superintendent; Dr. Larue put me there.

8. Did you quit or were you discharged?

A. Oh, I was discharged.

9. Was there any complaint made of the way you were working?

A. No, sir; nothing at all; just sent me my time and give my job to another man; had no disturbance at all.

10. Who did they give your job to?

A. Give it to J. Eb. Bradley afterwards.

11. Colored or white man?

A. Colored man, but when I got off the job he give it to a man by the name of Taylor Slaughter. Then after that Taylor Slaughter quit and they gave it to Eb. Bradley.

12. Do you know Eb. Bradley?

A. Yes.

13. Is he from Hopkinsville?

A. Yes.

14. What's his politics?

A. Republican.

15. What is yours?

A. I vote for the Democrats mostly. I think that is the trouble. I am pretty sure that is the trouble.

16. State to the committee what you have seen or observed there, if anything, with reference to how they run the institution—I mean with reference to politics.

A. I believe that fellow, Dr. Durham—I don't know how he is about the white folks, but a colored man that votes the Democratic ticket has a pretty tight time. I believe that is the reason I had to leave.

17. Is it not generally understood among the colored folks out there that they must line up with one or the other of the parties?

A. Yes, sir it was awhile back; but he talks enough before election day for you to know what hole to go in. You get your countersign way before that day comes. I am a free man and vote for who I please. I voted for every Democratic ticket but Gov. McCreary; carried the strongest Republican precinct in that county for Goebel.

18. What have you noticed around there, if anything, with reference to how he runs things—how he does it—with reference to politics?

A. I don't know anything about that part of it. If you are a hot-headed Republican you are all right. I don't know anything at all about the workings of the inside.

19. Is that generally understood around there?

A. The way they talk before election day it is.

20. Did you notice anything at election day going on there?

A. No, sir.

21. Notice anything prior to the election?

A. When he turned me off I just took my rock hammer and went to work in the rock quarry.

22. What makes you think he turned you off on account of your politics?

A. He asked me once, I know, whether I would vote for a Democrat. I told him yes. I didn't know about him then. I just walked on off and he could not have had anything else against me, because I hadn't done nothing. I had obeyed his orders, and done his orders all the time he give them to me. If I knowed anything on him I would certainly tell it, but if I don't know anything I ain't going to tell it. I ain't agwine to tell no story.

And further the witness sayeth not.

Also the testimony of William Warfield, given at the same time and place as that of the preceding witness, to wit, at the Capital Hotel, on Tuesday afternoon, February 12th, 1924. The witness, being first duly sworn, testified as follows:

(William Warfield.)

(Questions by Chairman Young, of the Committee.)

1. Give the committee your name, residence and age?

A. Hopkinsville, Ky., route 8, box 15; 54 years old this coming October. My name is William Warfield.

2. Have you ever been employed at the Western Kentucky Hospital?

A. In 1902.

3. How long did you stay there?

A. Stayed there about three years.

4. You have not been connected with it lately?

A. No, sir.

5. How far do you live from the hospital?

A. My line and their line is the same; adjoin.

6. Have you had occasion to observe the workings of this institution with reference to politics in the last year or two, since Dr. Durham has been there?

A. In the last four years I have.

7. Now state, in your own way, what you have seen and know and is the undestanding among the people of your race and color?

A. The first of my understanding is this; that if you are a Republican in this last four years everything is to the good, but if you have any essence of Democracy about you, you have to get out of there and don't come around there.

8. Did you ever hear Dr. Durham say anything about that?

A. Hardly ever seen Dr. Durham, but heard the workmen around there, both white and colored, make the assertion in and out of the institution on election day and around the polls—very active.

9. Did you notice anything about the people who work there as to their activities at the polls on election day?

A. Yes, sir; and before election day and afterwards, and all the time.

10. Well, what did they do?

A. Used the political big stick around among the col-

ored people as usual; give them the understanding what had to be done and what was the best for them to do.

11. What was that understanding?

A. To vote the Republicn ticket strictly; oftentimes tell me that I should do it.

12. I believe there is a colored settlement on each side of this hospital, ain't there?

A. Certainly.

13. Do you know anything about the precinct that they vote in there? Is that your precinct?

A. Yes, sir; East Palmira.

14. Prior to Dr. Durham's activities there how did that precinct go usually?

A. Well, it was a new precinct, but had always gone very close; sometimes Republican; sometimes Democratic; supposed to be Democratic.

15. How did it go in the last election?

A. Went Republican.

17. How much; do you remember?

A. I think about 60; something like that.

18. Didn't the rest of the precincts in the county fall off from the Republican vote except that one?

A. Yes, sir; the city fell clear down, which is largely Republican; but there is no way to make that precinct fall down since the political activtities of the Western Kentucky Asylum, which controls a great many of the Democratic votes anl gets out all the Republican votes.

19. Use the state cars?

A. Yes, sir.

20. Did you see him do that?

A. Yes, sir; time after time; not only in this election but in others.

21. Among those inclined to be Democratic employed

in that institution, is it understood that they vote the Republican ticket, or most of them?

A. If they didn't vote the Republican ticket they didn't vote; ain't seen at all. I called the attention to most all the whites and some of the Republicans who were supposed to be Democrats, and they said, "No, we can't vote; our bread and meat is slim and we want to keep our job."

22. Do you live near the garden there?

A. Yes, sir.

23. Now with reference to the way it was kept before, the way the man that has it in charge now—comparing with that, did they raise more or less stuff?

A. There were two gardeners before, one by the name of Boxley and another by the name of Vaughn. Those two men give excellent service. Had it in fine shape, but this man, who is a lazy politician, hasn't done much, looks like the Holy Land, so far as the garden is concerned.

24. Then they don't raise as much stuff now as they did before?

A. No, sir; nothing like; last year practically nothing.

25. Do you know why the man was turned off after Dr. Durham came here—know why he was turned off?

A. He got him a good old politicianer, a Republican by the name of Lawton.

26. Was Lawton an active politician there in the county?

A. Always has been.

27. Is he related to anybody that is in business there?

A. I don't know, sir; didn't know he had any kinfolks.

28. Has his wife got a job there too?

A. She raises chickens.

29. They furnish the whole neighborhood there with chickens, don't they?

A. Oh, yes; they are all over the country.

30. How do they raise chickens—a great many or not, as a matter of fact?

A. That part of it is kind of a peculiar outfit. They raise a good many chickens there, but looks to me like that there isn't much profit in it; nobody seems to care anything about it; nobody to look after it but the farmer man; everything seems to be going at random, not only about the chickens but everything else. They have hogs out there, too; have a man there that is an old crazy politicianer; he tends to the hogs—John Buckner.

31. Is he a Republican or a Democrat?

A. Crazy Republican. I notice that his different occupations have been spoken of down that way; that they have eased him out over the hill there until this thing is over; afraid somebody might see him.

32. He is the hog man?

A. Yes; didn't know whether a fat sow had pigs or whether she didn't have them. The sow had ten pigs down by my house and he drove the sow down to the pen and left the ten pigs out in the open. I told him to come and get them and he would not do it. I hired a man to take them down to him; would not believe then that his sow had those pigs; efficiency don't cut nothing with him—only politics. To show you that politics do cut some figure down there, there is a man down there by the name of George Hale, known as a politicianer. He works for the dark tobacco district at six at night; claimed he worked all night; then worked for the institution all day; truck brought him back and forth each day. He eat there and got the money both places.

33. White or colored man?

A. Colored.

34. How long has he been at that job?

A. From May until fall then he eased out.

35. Not in there now?

A. He is in the institution; not in the dark tobacco district.

36. How did he work, by the day?

A. Well, he was a politician; didn't work at night but got his pay just the same; one or the other had to suffer.

37. Who are some of the employes down there active in politics?

A. George Hale, Ben Hale, Clarence O'Neal, Maggie Buckner, John Buckner, Betty Gane and Sallie Penn.

38. Are they colored or not?

A. They are colored.

39. Do you know any of the white employes' names? Any other colored ones that are politicians?

A. Ed. Bradley.

40. Know any white ones that are active in politics?

A. I know Mr. Lawton is pretty active; he is the gardener down there.

41. Anybody else beside him?

A. If there is, they didn't show their hand; had more sense than the casual.

42. Is Dr. Durham active in politics in any way?

A. I seen him in conveyances.

43. Do you know how long he has been down there?

A. Been there about four years.

(Questions by Representative Drury, of the Committee.)

44. Where did he come from?

A. Come from down in a little jerk water place called Apex, or something like that; little bit of a place back there way off the turnpike. Ben Hale is one that I mentioned that is pretty extra in politics. He has been tried for forgery; tried for several forgeries and then placed in the asylum.

(Questions by Senator Clark, of the Committee.)

45. Placed in the asylum by order of court?

A. No, sir; on order of Dr. Durham, to be on the pay roll. Clarence O'Neal is an old Republican county committeeman.

46. Is he there?

A. He is there. He was once turned off under Dr. Larue for stealing chickens in the institution, but is back again under their treatment.

47. What kind of a farmer was Mr. Byars?

A. Mighty fine farmer; work demonstrated that; looked like most productive farm in that end of the country, from the grass, hogs, cattle and all that.

48. How long was he there?

A. Something like three or four years.

49. Did the farm improve under his management?

A. I seen it for fifteen years before he went there and it looked like part of the Rocky Mountains; no grass; no pasture; nothing on it; cows could not survive; cattle poor and dilapidated; getting that way now.

50. How was the farm when he left it?

A. In fine shape; pretty as you ever seen.

51. Any grass?

A. Yes, as high as my shoulder in places; this winter you can't see any grass.

And further the witness saveth not.

At this point the taking was adjourned until 7:30 p. m. of the same day and at the same place, to-wit, the Capital Hotel, Frankfort, Kentucky, on Tuesday, February 12, 1924.

Present at the convening—Messrs. Young, Drury and Clark.

The evidence of Robt. B. McDonald, given at the above time and place. The witness, being first duly sworn, testified as follows:

(Robert B. McDonald.)

(Questions by Chairman Young, of the Committee.)

1. Please give the committee your name, age, present residence and occupation.

A. Robert B. McDonald, 37, music director, Greendale, Kentucky.

2. Are you connected with the institution for the boys and girls at Greendale?

A. For the boys only.

3. What position do you hold,

A. Music director and bandmaster.

4. Does your wife hold a position there also?

A. She does.

5. What?

A. She is music teacher, librarian and plays the piano for services.

6. How long have you held your present position?

A. Twenty-six months.

7. What is your salary?

A. $80.00.

8. Anything else besides your salary?

A. No, sir.

9. You get your board?

A. Yes, sir.

10. Get your laundry?

A. Yes, sir.

11. Room?

A. Yes, sir.

12. In fact you get everything a man has to live on?

A. Except clothing, I buy that myself.

13. Do you hold any other position?

A. No, sir.

14. Haven't you a position at the Eastern Kentucky Hospital?

A. Oh, yes, I have.

15. What is your salary there?

A. $40.00.

16. What are your duties there?

A. Three classes a week.

17. In music?

A. Yes, sir; in music.

18. That is, in the band?

A. Yes, sir.

19. What position did you hold and where, prior to going to Greendale?

A. Taught in the high school at Corbin, Kentucky; in the army the rest of my life.

20 Where was you raised?

A. Barbourville, Knox county, Kentucky.

21. How did you get your present position?

A. Answered an advertisement in the paper.

22. You had no recommendation from anybody?

A. No, sir.

23. Did you know any of the people connected with the institution prior to your coming?

A. Did not.

24. Has there been any complaint about your services since you have been there?

A. Not that I am aware of.

25. None made to you?

A. None at all.

26. The institution that I asked you about is the Eastern Kentucky Hospital; that is the one in addition to Greendale?

A. Yes, sir; worked by the state altogether.

27. How did you secure that employment there at the Eastern State?

A. Took the Greendale band to play for the Christmas celebration there. The superintendent liked the music and forthwith asked me to organize a band in the hospital. I took and handled the first twelve months 122 patients. In that bunch many of them at least were restored to their right senses and went home; others had their teeth pulled and had to cut out my practice on that account.

28. Do you attribute the cure of these crazy people there to teaching them music more than any other one thing?

A. Yes, sir.

29. Have you had any trouble since you have been connected with these institutions?

A. None that I can recall.

30. Ever been arrested for reckless driving in Lexington?

A. Yes, sir; once.

31. Run into a horse and buggy that time?

A. Yes, sir; I thought you meant at the institution.

32. Did they find any whisky on you at that time?

A. No, sir; found some in the car; it wasn't mine though.

3. Who was in the car with you at the time?

A. No one at all.

And further the witness sayeth not.

At this point the remainder of the witnesses of Hopkinsville were introduced.

The testimony of S. H. Byars, taken at the Capital Hotel, Frankfort, Kentucky, on Tuesday night, February 12, 1924. The witness being first duly sworn, testified as follows:

(S. H. Byars.)

(Questions by Chairman Young, of the Committee.)

1. Mr. Byars, will you please give your name, residence and occupation?

A. S. H. Byars; live at Hopkinsville, post office address, and am a farmer.

2. Have you ever been connected with any of the institutions of the state?

A. Yes, sir.

3. Where, when and in what institution?

A. I was steward at the Western State Hospital; went there in 1915, I believe it was, and was let out in January, 1922, I believe.

4. Who was in charge when you went there—who was superintendent?

A. Dr. Larue.

5. Who was the superintendent when you were discharged?

A. Dr. Durham.

6. State to the committee the reason, if you know, for your discharge.

A. Well, I don't know of any reason; my work was satisfactory; no complaint along those lines.

7. What is your politics?

A. I am a Democrat.

8. Who took your place?

A. Mr. V. R. Johnson.

9. What is his politics?

A. I hardly know; his people are Republicans. I hardly know which you would call him; what he is.

10. You have charge of the farm there, did you, as steward?

A. Yes, sir.

11. State as near as you can its productivity as com-

pared with it when you left it, and the way it has been run since.

A. When I left that farm it was in good shape; 40 or 50 acres of clover and grass there that I had been to a great deal of trouble and expense to get it; fences were in good shape; most any of those fields had been treated. Right at the present time now there is quite a difference. They have plowed up most of these fields; gullies have washed; fences and gates are down; and if they have raised anything there, I have not seen it. Of course they had some hay to cut there for a year or two after I left.

12. Who took charge of the farm after you left?

A. Mr. Bertner Johnson.

13. Is he the same man that is there now?

A. No, sir.

14. How long did he stay?

A. He was there something like five or six months.

15. Who was the next man?

A. Mr. Brumfield.

16. He is the man that is still in charge now?

A. Yes, sir.

17. Do you know Mr. Brumfield?

A. Know him when I see him; think I know him.

18. What is his politics?

A. He is a Republican.

19. Do you know anything about the activities of the employers or officers of this institution in reference to politics?

A. Well, now that question I can answer it. I know most of the employes there, and so far as actually knowing just how they vote, I would not want to say, but I have reason for knowing how most of them vote.

20. State abount any reports that you had about your work there.

A. There was a committee investigated me down there too. Do you want me to tell you about that?

21. Go ahead and tell it all.

A. It was in March, 1920, I think. This probe committee was there sometime in March, 1920. They filed a report stating —well, first they asked the superintendent if he would recommend my removal, the chairman of this probe committee did, and he wanted to know on what grounds, and his answer was that I had not produced enough crop on the farm of 700 acres. Well, the superintendent knew that I had produced more than any other institution in the state, and he so told them he could not ask for me to be removed.

22. Who was superintendent then?

A. Dr. Larue. Then they came back up here and filed this report and had it published saying that I had not produced as much on this farm as should be. I think they gave me credit—here's what they said; they gave me credit for fifteen thousand dollars and some cents produced on the farm: "Western produced total only of thirteen thousand dollars while the Eastern State Hospital farm of only 125 acres produced fifty thousand dollars;" and the facts in the case, the record there will show, that the Western State Hospital produced, the facts in the case is I produced on that farm sixty-seven thousand four hundred and ninety-five dollars and forty-three cents worth of stuff. They also gave me credit for thirteen thousand dollars. I also asked them to give me a hearing before this committee in order that they could have a chance to correct this error and I was refused and I answered it myself and had it published.

23. Was any other department given credit for the difference?

A. No, sir; this includes the farm, the garden, the dairy, and everything in my department; that was what it was.

(Questions by Senator Clark, of the Committee.)

24. Did you have charge of everything on the farm there?

A. Yes, sir.

25. What doctor did you say was in charge when you were there; I mean when you left?

A. Dr. Larue was there when I came; Dr. Durham was there when I left.

26. Is that the same Dr. Larue over at Eastern State Hospital?

A. Yes, sir.

27. Do you know how many employes they have there now?

A. No, sir; I have not been there for eighteen months.

28. Do you know whether there are more employes there now than there were when you were there?

A. I think more now. When I was there I had a head gardener and he had an assistant and I had two hired hands. I understand there are six out there now. I don't know this; have not been out there, but have reason to believe it is true. I pass them every day. It is right on the road to my place.

29. What salary did you say you got when you went there?

A. When I went there I got $90.50 and living expenses; when I left there I was getting $150.00.

(Questions by Representative Drury, of the Committee.)

30. Did they ever tell you why they discharged you?

A. No, sir. I can tell you nearly the exact words that Dr. Durham said to me when I first knew about it. He came over to my office and said that he would like to accept my resignation and I asked when he got it; that I had never resigned and wasn't going to resign, and he said, "Well, we

had a talk last summer." I said, "We had several, and I am not going to resign; you can fire me, but I am not going to resign." He came back in two or three days and said, "I understand you know the workings of this concern out here and your work is perfectly satisfactory; have no kick along that line at all. If it was left to me I would not discharge you; you could stay, but I am not responsible for you." I asked him when he wanted the place. He said he would give me a few days' time. About a week later he said he had an order from the board that the place would be done away with January 5th; still didn't tell me when my pay would stop. I got out on January 6th.

(Questioning resumed by Chairman Young.)

31. Did they do away with the place?

A. No, sir; changed the name of it.

32. What do they call it now?

A. Farm manager.

(Questions by Representative Drury, of the Committee.

33. What did they call it then?

A. Steward when I first went there.

I also have a report here that it seems that this board had requested Mr. John Cooper, or somebody—Mr. Thomas Cooper was the man that was asked to make an investigation down there of this farm management, etc., and so on and so on, and see what recommendations he could make. That was on June 27, 1920. I got this report in January just before Mr. Hines died, who at that time was chairman of the board. I had never seen it. He goes ahead and tells all about the farm; recommends my work and says it is satisfactory, and that I was working along the right lines.

34. Will you file that report with the committee?

A. I will.

35. And mark it "S. H. Byars, Exhibit 'A'?"

A. All right.

Sand exhibit "S. H. Byars, Exhibit 'A'" is attached hereto and is in words and figures as follows:

June 27, 1920.

Dean Thomas Cooper,
College of Agriculture,
University of Kentucky.
My Dear Mr. Cooper:—

Complying with your request, on June 14 I made an inspection of the farm of the Western Kentucky State Hospital at Hopkinsville, with the view of making recommendations as to the farm management policies for the institution. I beg to submit the following report:

The farm consists of upwards of 600 acres of land, the greater part of which is thin and rocky, and not suitable for heavy cultivation.

One Hundred Acres North Side of Butler Pike.—There are about 100 acres on the north side of Butler pike. Forty acres of this is in a fair stand of clover, red top orchard grass; sixty acres have a thin stand of grass. Much of this land is rocky and not suitable for cultivation. It needs to be limed, fertilized with tobacco stalks and manured, seeded and kept in grass and hay indefinitely.

Land Between Butler and Elkton Pikes.—Sixty acres in grass, clover, red top and orchard grass were in wheat last year—a good stand of hay on the greater portion. Should be pastured next year and kept in grass until stand becomes thin, at which time it should be re-seeded.

Seven acres of newly cleared land have an extra good set of red top, orchard grass and clover. Was in tobacco last year. Is rocky and not well suited for cultivation.

Eight acres of orchard grass, clover and red top. This is white, rather cold soil, subject to washing from the water collected above. Should be kept in grass most of the time.

Large pasture, about forty acres very thin land, rocky, considerably gullied; has thin set of red top, orchard grass, tall meadow oat grass, timothy and bluegrass; has been in pasture three years. Should be kept in pasture and top dressed with manure and tobacco stalks.

Small eight acre field not tillable. In orchard grass and red top and clover, the clover mostly gone. This should be treated in the same manner as indicated for the 40 acre pasture.

Five acre woodlot, very little grass.

Reservoir lot, 5 acres, rocky, not tillable; some bluegrass. Recommend treatment as for 40 acre pasture field. Another woodlot, 9 acres, rocky and not tillable; same treatment recommended.

Twenty-five acres, former garden spot. This is at present in clover and orchard grass; is highly improved, very productive and susceptible of profitable cultivation.

Twenty acre rocky limestone pasture in bluegrass, orchard grass and red top. Recommend same treatment as for 40 acre pasture.

Six acre small clover field, tillable, but thin. Should be improved by keeping it in grass and hay crops most of the time and top dressing with manure and tobacco stalks.

Fifteen acres cropped in rye and crimson clover for several years. This land is susceptible to improvement in the manner indicated for the preceding fields.

Five acres alfalfa, three years. This should be left in alfalfa as long as the stand justifies.

Old apple orchard, 30 acres. This for several years has been of little or no value to the institution. The land is quite thin, but is susceptible of improvement in the manner indicated for the preceding fields.

The orchard should be held over and studied further.

If no improvement seems practicable, the trees should probably be removed and the land devoted to hay crops.

Four acres in a good stand of timothy.

Land on South Side of Elkton Pike (200 acres).—This is a better quality of land than that which has been previously described. It is suitable for growing corn, vegetables and other cultivated crops. There are 70 acres of this land which have been limed and have an excellent set of clover and orchard grass growing on it. On this side of the road, there are also 20 acres in brush land and 20 acres in corn. There is a cottage and good barn with accompanying lots and six acres of good alfalfa on this tract. There are 40 acres in potatoes, beans, cabbage, corn, beets, etc., and a detached 4 acres in alfalfa. At the rest of the tract are 30 acres of good level land, 20 acres of which at present in navy beans and 10 acres in blackeyed peas. This 30 acres has been in corn two years previously. The potatoes, tomatoes and other truck growing on this tract show plainly the need of more manure in the soil. This entire area is naturally good land and by proper fertilization can be made to yield abundantly. Most of the corn grown for the silos should be grown on this part of the farm.

Instead of planting the same area in truck crops year after year, as has been done, it is suggested that two plats of requisite area be designated for trucking purposes, one plat to be cultivated in truck crops for 2 or 3 years, then being seeded to clover and grass, the truck crops being then transferred to the other plat. By this means the garden soil can be kept in much better tilth and at considerably less cost.

Livestock.—Ninety-seven head of cattle (58 cows in milk, 16 dry cows, 1 bull, 22 head of young stock.) Professor Hooper investigated the herd of June 17, and made a report thereon under date of June 22. I concur in Professor Hooper's recommendations relative to the dairy herd. He calls attention to the need of a second silo. This would be helpful in the feeding problem, but on account of the practical difficulty of

the limited amount of land upon which to grow silage corn, I am doubtful of the advisability of the immediate erection of a second silo. In view of the character of the greater part of the land, together with the necessity of devoting a large part of it to truck crops, the economical feeding of the dairy herd will be best served by making the hay the basis of the dairy feeding ration, supplemented by a limited amount of silage.

Sheep.—There are 36 ewes and 26 lambs. These sheep have been helpful in keeping weeds in check. Further experience may point to the advisability of a slight increase in the number of ewes.

Hogs.—There are 85 head of hogs on hand at present. Hogs serve an important function here in utilizing the considerable abount of available kitchen slop. About 60 head of shoats are required to consume this slop. The best results can be gotten by beginning with 100-pound shoats, feeding these the garbage and slop, supplemented by some corn and mill feed for a period of six weeks, at which time they should be sold and replaced with an equal number of shoats. Ordinarily it would be good practice to keep brood sows and raise shoats. However, some practical difficulties are in the way of handling brood sows in connection with the dairy cows (difficulties of lots, paddocks, etc.), so that it may be more profitable to buy part or all of the shoats rather than to raise them as long as satisfactory shoats can be obtained.

Work Stock.—There are at present 12 mules. These should be increased to 14 next spring, as that number will then be required to handle the work economically.

Summary of Recommendations.—As a rule, institutional farms, whether operated under the auspices of a fraternal organization or under state management, are apt to be handicapped by the lack of continuity of management. Several years are necessary for any farm manager to learn the characteristics, adaptations and needs of the various fields. In other words, a considerable length of time is required for

him to get his bearings. The observations of the writer show that those institutional farms where the manager has been employed over a long period of years have shown by far the best resuts. Those farms where such continuity has not obtained have been notable for the inefficiency of operation and have entailed heavy loss.

Mr. Byars has made an unusully good showing in building up several hundred acres of thin, rocky land on this farm. Much yet remains to be done in this direction, but I am convinced that Mr. Byars is working along the right lines.

A large part of the area of the fields on the north side of Elkton pike is thin and rocky and rolling and unsuitable for cultivation in inter-tilled crops. Mr. Byars has demonstrated that this land will grow good and profitable crops of hay. The land should be devoted almost exclusively to hay and pasture crops, little or no corn being raised on this part of the farm. When the hay and grass stand runs out, the land should be re-seeded, using a small grain crop as a nurse crop, omitting corn, since the latter will cause serious soil washing.

The major problem here is that of soil building. Grass and hay furnish the most practical means to this end. However, to get grass on the thin, rocky areas, it will be necessary that these spots shall be manured. I recommend that tobacco stalks and manure shall be bought in Hopkinsville and hauled to this land whenever this can be obtained at anything like a reasonable price. Much of this hauling can be done at slack times, when the teams would otherwise be idle. I also rerommend that this land be treated with an application of ground limestone as far as possible.

With the amount of work required in the supervision of this farm, the superintendent should, at an early date, have an assistant, to whom he could entrust the carrying out of part of the details. This man might well be the truck gardener. I suggest that the qualifications of the present gardener be considered to ascertain whether he has the ability

to function as an efficient assistant to the steward. I would lay stress on the importance of permitting the steward considerable latitude in the selection of such men as may be employed to assist him.

Other points of importance are the need of the application of larger amounts of manure on the truck land, the alternation of the truck garden site, as previously indicated, and the purchase of two additional work animals next spring.

There is a 14 acre tobacco barn on the farm. Last year tobacco to the value of nearly $3,000 was produced. In my judgment, from a pecuniary standpoint, enough tobacco should be grown each year to utilize this barn. In this connection, I might say that from seven to eight thousand pounds of this tobacco are needed for the use of the patients in the hospital.

Respectfully submitted,

(Signed) W. D. NICHOLLS,
Head, Department Farm Management.

A. (Continued.) I have another report here. I also had one from Mr. Cooper but could not find it. He came there and inspected the dairy. It was a good one, but I can't find it. Here's another letter that Mr. Wyatt wrote to Mr. J. P. Byers. I can file that.

36. What is Mr. Wyatt?

A. He held a position with the government; some kind of district farm agent of some sort.

37. Will you file that, marking it "S. H. Byars, Exhibit 'B'?"

A. I will.

Said exhibit is attached hereto marked as aforesaid and is in words and figures as follows:

Cooperative Extension Work in
Agricultural and Home Economics.
State of Kentucky.

College of Agriculture of the University of Kentucky and United States Department of Agriculture, cooperating.

Extension Division College of Agriculture of the University of Kentucky.

Paducah, Ky., April 21, 1920.

Mr. J. P. Byers,
Frankfort, Ky.,
Dear Sir:—

Referring to your letter of the 7th in regard to visiting the Western State Hospital at Hopkinsville to advise with the gardener as to his work, I have not received authority from Dean Cooper that you requested, but doubtless will soon, and will advise you after my visit.

This farm is in my district, and in coming through Hopkinsville a few days ago, it was convenient for me to go out to the farm for a few hours and look over it. When my headquarters were at Hopkinsville in 1917, I assisted the steward with some of his plans and I am very much pleased with the way these have worked out as I see them now. It was a soil building plan in the main, as well as a general cleaning up and improvement repairing; the progress and results obtained thus far are remarkable; in fact, I do not know of a farm anyhere in this end of the state that shows a greater improvement in the same length of time than this one. But, if you will permit me to suggest, there are some more things that could be profitably done at this time, one in particular, the increase in the acreage of alfalfa; also the use of more limestone for the growing of clovers.

If you think it necessary, I will be glad to meet with you or some of the board at the farm sometime soon and go over these matters with you, for I am deeply interested in this

character of work and believe that this farm can be made very profitable to the institution.

Yours very truly,

G. T. WYATT, *District Agent.*

38. Who was that probe committee?

A. Well, Mr. Jack Richardson was chairman; old Dr. W. L. Haynes, of Calhoun, was a member on there. They are about the only two on there I remember.

39. When did that take place?

A. This letter of mine is dated March 16th; that is the time I answered them.

40. What year?

A. 1920. I served on there from March to January, nearly a year after they made this complaint. They could not get anything on earth to fire me for, so they finally did away with the job; at least said they did.

41. Well, do you know of anything else that you desire to state, Mr. Byars?

A. I know this; last summer I made the race for Representative in Todd county, and Durham himself sent an affidavit over there against me. Mr. Smith knows about that. Also since that election he has put in six or eight men from my county to work down there; he also promised some jobs in Eddyville.

42. Is Lyon county in your district?

A. No, sir. He also sent one to Lexington to Dr. Larue, but he didn't stay long; got his job and left.

43. Who was the candidate against you?

A. Mr. Edgar Hadden.

(Questions by Representative Drury, of the Committee.)

44. He is the present member of the House from Todd county?

A. Yes, sir.

(Questions resumed by Chairman Young, of the Committee.)

45. Was this the primary?

A. Yes, sir.

46. State whether Mr. Brumfield, the present farm manager, has a brother in Christian county, and if so, what his brother's connection in a political way is?

A. Well, he is a very active worker, and he is also a truck gardener himself; sells vegetables, apples and everything. And this farm manager's son is this superintendent's secretary. They are also brothers to Miss Brumfield, that was here with General Dawson; great big connection of them and they are a pretty stiff bunch to go up against.

And further the witness sayeth not.

The evidence of L. E. Vaughn, taken at the Capital Hotel, Frankfort, Kentucky, on Tuesday night, February 12, 1924. The witness being first duly sworn, testified as follows:

(L. E. Vaughn.)

(Questions by Senator Clark, of the Committee.)

1. State your name, age and residence?

A. Lloyd E. Vaughn; rural route number two, Hopkinsville, Kentucky. My age is thirty-two.

2. What is your occupation?

A. Gardener.

3. Did you ever have any connection with the state hospital at Hopkinsville, Kentucky?

A. Yes, sir.

4. When?

A. April 1, 1920, to August 31, 1921.

5. What position did you occupy, if any?

A. Gardener.

6. Were you discharged from that institution?

A. No, sir.

7. How come you to quit?

A. Dr. Durham asked me to quit and I resigned.

8. Did you know why he asked you to quit?

A. He told me he was shaving expenses; cutting expenses.

9. What were you getting at that time?

A. Seventy-five dollars a month and maintenance.

10. Anybody take your place?

A. Yes, sir.

11. Who?

A. Mr. Lawton.

12. Do you know what he was getting?

A. The same price.

13. And living expenses?

A. His wife had job also.

14. Did your wife have a job with them also?

A. No, sir.

15. What kind of a job did his wife have?

A. Taking care of the chickens.

16. How much did she get for that?

A. I don't know.

17. What was the condition of the garden at the time you left?

A. Thirty-five acres of strawberries were planted and ready to cultivate; plenty of stuff there to feed the patients one vegetable meal a day.

18. What else was there besides the strawberries when you left it?

A. About an acre and a half of green winter onions and ten acres of turnip greens planted and up for the coming year; and there was fifteen acres in navy beans, beans to can and the tomato crop coming in to can.

19. Was there a sufficient amount there to produce vegetables for the inmates of that hospital?

A. Absolutely, sir.

20. Do you know anything about the condition of that garden since you were discharged?

A. Only last year.

21. What about it then?

A. There were plenty of tomatoes and beans.

22. How about the strawberries and other vegetables?

A. There were more strawberries than they ever picked; a great deal more. They plowed up part of the strawberries, though.

23. Do you know why they plowed them up?

A. I don't know, sir.

24. How does the garden now compare with the way it was when you left it?

A. Well, they are producing as much stuff on three times as much land; that is, they are feeding the inmates on three times as much land as I used; have plowed up the pasture land and meadow land.

25. Are you pretty well acquainted with the employes of that institution?

A. Yes, sir; I know practically two-thirds of them.

26. Do you know their politics?

A. Some few; yes, sir.

27. Have any of them been very active in politics down there?

A. To my knowlege, only a few.

28. Do you know of the superintendent taking any part in politics?

A. No, sir; I don't.

29. Do you know of any of the employes getting out and taking an active part?

A. Yes, sir; a man by the name of Jones—I don't know whether he was employed there or not, but he went out into the country beyond where I was farming to roof

a house. He went out electioneering; after the edection he resigned.

30. Is he still there?

A. I don't know.

31. Do you know why it was that they asked you to resign?

A. To give Mr. Lawton my job.

32. Was that the only reason?

A. All I know of.

3. Did they give any excuses?

A. Said Mr. Byars wished to cut expenses.

34. Was Mr. Byars in charge of the farm then?

A. Yes, sir.

35. When they took you off they put another man and his wife on; is that correct?

A. Yes, sir.

36. Do you know how large a saary his wife is getting?

A. I don't.

37. From your acquaintance there with that farm is it necessary to have that woman there to look after the chickens?

A. Yes, sir; it is necessary to have some one to look after the chickens.

38. Does she raise enough chickens to pay for the expense of keeping them there?

A. No, sir; unless they figure that those eggs are worth so much money; that they are genuine fresh eggs; only way that they can figure it.

(Questions by Representative Drury, of the Committee.)

39. Do you know Mr. Bob Hunter, of Providence?

A. Yes, sir.

40. I believe you are a Webster county boy?

A. Yes, sir.

41. What part of the county were you raised in?

A. Clay.

42. What is your politics?

A. I am a Democrat.

43. Did Mr. Hunter ever say anything to you about your discharge?

A. Yes, sir; the way it happened he came up to see my wife; he and my wife's uncle are great friends. I said, "Well, Bob, I got it." He said, "Ha, Ha. I knew it; knew you were going to get it."

44. Did he say why you were discharged?

A. He said that that was the way they did it. I knew that there wasn't any use in asking him; knew why I was discharged.

45. Was Hunter connected with the state hospital there?

A. No, sir; he is Republican committee chairman of Webster county.

(Questions by Senator Clark, of the Committee.)

46. Is that the chairman of the State Executive Committee?

A. Yes, sir; lives at Evansville, Indiana, just across the river.

(Questions resumed by Representative Drury, of the Committee.)

47. You said they were producing as much vegetables but using three times as much ground to do it? How about the labor connected with it?

A. The first year I was there I run the ground with Mr. George Boxley; then he left. After that I run the garden

for about three months by myself. Mr. Byars had two employes on the farm; that made three on the farm with myself. Last year they worked West, Lawton, Brumfield and two colored men, and from three to five attendants from the ward.

And further the witness sayeth not.

Also the evidence of C. J. Gee, taken at the Capital Hotel in Frankfort, Kentucky, on Tuesday night, February 12, 1924. The witness being first duly sworn, testified as follows:

(C. J. Gee.)

(Questions by Senator Clark, of the Committee.)

1. State your name, age and residence?

A. C. J. Gee. I live on a farm near Hopkinsville; I am sixty-four years old.

2. Were you ever in the employment of the state hospital down there?

A. Yes, sir; I worked there in March, 1917; stayed there until July, 1922.

3. Were you discharged from there?

A. Yes, sir.

4. What was the cause of your discharge?

A. The Doctor said that he had another man that he wanted to give the place and wanted me to go back up there and take the ward work.

5. What position did you have?

A. Position at the gate; sold groceries and provisions at the gate and kept the gate, too. I worked up on the ward a year and a half. I made them a good servant and the doctor asked me if I would take the gate without a salary; said that I would make as much without any salary. I told him I would take it and try it. I went down and went to work and worked it up until it was paying me a pretty good salary,

and then the doctor said he had another man that he wanted to give that job to and wanted me to go back on the ward. Said that I made the best man they had out of four there.

6. What doctor was that?

A. Dr. Durham was the man who told me he wanted me to go on the ward.

7. What did you receive while you were gatekeeper?

A. When I started in I got something like fifty dollars a month, but I worked it up and by the time Doctor Larue left and Doctor Durham came I was making about two hundred and fifty dollars.

8. Who was paying that?

A. The people I sold stuff to. The institution gave me board and laundry and all I could make out of the things I sold.

9. And you quit after they decided to change you?

A. I had to; they took the position away from me; said that he would give me a job on the ward.

10. Who took your place?

A. John Marcus, a cousin of Doctor Durham's wife.

11. During the time you were there did you notice the condition of the farm as to its production?

A. Yes, sir; everything went on mighty nice the last few years I was there after the war was over; had plenty of labor and everything was going on nice; had nice crops.

12. Have you observed the condition of the farm and the different kinds of crops raised since you were discharged?

A. I didn't see much of the crop in 1923, but the year before that I did.

13. How did the crop compare the year before that with what it was when you were there?

A. Well, they didn't work the crops like they did when I was there. Mr. Byars made it more plentiful than they did the next year.

14. Do you know whether or not the force used last year, or rather the year before, was greater than when you were there?

A. Yes, sir; they worked the patients more that year than the year they did when Mr. Byars was there.

15. Well, did they give you any reason for discharging you as gatekeeper?

A. Said they wanted to give it to the other man.

16. The only excuse he gave you was that he wanted to give it to another man—another fellow?

A. Yes, sir; said I had given perfect satisfaction and made them the best man they ever had.

17. What is your politics?

A. I am a Democrat.

18. What was your successor?

A. A Republican.

19. Do you know anything about them being active in politics in the institution?

A. Some of them told me that the doctor made arrangements for all the Republicans to go and vote, but made no arrangements for the others to vote.

20. At the time you lived there were there more Republicans than Democrats—at the time you lived there?

A. No; when Dr. Larue left we had more Democrats than Republicans, but they commenced leaving when the rest of us did, but there are more Republicans there now.

And further the witness sayeth not.

Also the evidence of Ira D. Smith, taken at the Capital Hotel on Tuesday night, February 12th, 1924. The witness being duly sworn, testified as follows:

(Ira D. Smith.)

(Questions by Chairman Young, of the Committee.)

1. Please give your full name, residence and occupation?

A. Ira Dorman Smith; lawyer; thirty five years old: Hopkinsville, Kentucky.

2. How long have you resided in Hopkinsville?

A. All my life.

3. How far is the Western State Hospital located from your city?

A. It is about one mile from the city limits, on the Russellville road, east of Hopkinsville.

4. Are you well acquainted with the people, and their politics, that is the political complexion of the individuals in your county?

A. Pretty well, sir. I have made a few races for public offices. I have been county attorney and also Representative from that county, and I have had occasion to know the political sentiment of various individuals and parties in the county.

5. Do you know Dr. Durham, who is now the present superintendent?

A. My acquaintance with Dr. Durham dates back to the time when I first made the race for county attorney on the Democratic ticket. That was in 1914. At that time Dr. Durham was practicing medicine; practicing his profession at a small store in north Christian county, known as Adams store. He was one of the leading Republicans in that community, and if I am not mistaken a member of the Republican county committee.

6. Do you know about when he was made superintendent of the hospital?

A. Some time early in the year of 1921.

7. Who preceded him?

A. Dr. F. G. Larue.

8. Is Dr. Larue a Democrat or a Republican?

A. A Democrat.

9. Do you know the precinct in which the asylum is located—the name of the precinct?

A. I do; it is known as the East Palmira precinct.

10. Will you state to the committee the vote prior to Dr. Durham's induction into the office of superintendent as to how that precinct went politically?

A. Democratic by rather a good majority, if I recall the figures correctly, and they can be obtained from the county clerk. In the Presidential election of 1920, before Dr. Durham assumed charge, the vote for President was, for the Democratic candidate, one hundred and forty-five; for the Republican, one hundred and twenty; showed a Democratic majority of about twenty-five or thirty.

11. After Dr. Durham's term began there—the election following, do you know anything about the returns?

A. Yes, sir; the next election was in the fall of 1921. I have occasion to remember very distinctly because I happened to be a candidate at that election myself. While Christian county is normally a Republican county, every Democrat on the ticket was elected that year and every precinct showed a Democratic gain except this one particular precinct; that absolutely reversed itself and instead of going Democratic, went Republican by a majority of twenty-five or thirty. I think this committee can obtain a sworn statement from the county court clerk showing the exact vote, but those are the figures. In the Governor's race in 1923, last fall, it went Republican by a slight vote.

12. Do you know anything about the activity of Dr. Durham or the employes of this institution in politics down there? If so, state fully what you know about it?

A. I know this much about Dr. Durham's political activities, being a resident of Hopkinsville, and of course I have had occasion to see him many times. He has kept since assuming the superintendent's place in constant touch with the Republican organization in the county, with Mr.

Robert A. Cook and others prominent in the Republican organization, and consults them on much of his appointments. In addition to that, both in the county election of 1921 and in the Gubernatorial election of 1923, Dr. Durham played a very active part not only in the East Palmira precinct, which he has always managed to carry Republican since he has been there, but also with his friends and relatives in the northern part of Christian county, many of whom he has taken care of by appointing them to places in the institution. I also have occasion to know that at the Republican convention, held at Hopkinsville, where the delegation was to be instructed for Dawson or Colvin, I don't think they really decided which one they were to instruct for, but it was a mass convention held at the tabernacle and Dr. Durham was personally present; I saw him myself.

He had thirty-five or forty employees of the institution with Dawson badges on and I heard him say to some young ladies on his side—those young ladies had started to leave the tabernacle—"You must not go yet; they have not taken the vote." I was simply present as a spectator, and know of his activities in this convention because I saw it.

At the polls for the last two elections we have been almost handicapped in getting the Democrats left in the institution to come out to the polls. They have personally complained to me that they were not given an opportunity to vote. Some of them were afraid they would lose their jobs if they did it. All of the Republicans have been given free rides in the state's cars to the polls, and the state automobiles have also been used in other precincts for the Republican organization in Christian county. I make this statement feeling that if Dr. Durham was not sailing under false colors as a non-political, non-partisan superintendent he might have some occasion to use his power in this way, but to say that the political complexion of an institution has not changed since Dr. Durham went there is, in my opinion, to say something that is absolutely false.

13. Mr. Gee, there has been rumors and talks with reference to an old Methodist minister whose body was shipped to some medical college, who was an inmate of this institution since Dr. Durham took charge. I would be glad if you would state to the Committee such facts as you may have in your possession with reference to that matter.

A. All that I happen to know about this particular case comes through the widow of that particular minister, Mrs. Laura Metcalf, and through her attorneys, Henson & Taylor, of Henderson, and some of the Methodist ministers in that county who have taken an interest in the case. Some time last fall Mrs. Metcalf filed suit against the State Hospital and against Dr. W. W. Durham and against the University of Louisville. I had a copy of the petition before me. It seems that her husband was confined in the institution some time in 1919. Early in December, 1922, he died. The exact date is December 12, 1922. I am also informed by the witnesses in the case that upon the next day, without notifying Mrs. Metcalf, who resided at that time in Evansville, Indiana, a city about 70 miles from Hopkinsville across the river from her home town, Henderson, Kentucky, where her husband was committed, that the body of the Rev. Metcalf was shipped to the University of Louisville. The body was shipped, according to the express company's receipt, on the day following his death. The only effort made to notify his widow was a telephone call to the county judge of Henderson county informing the county judge that a certain man by the name of Metcalf had died. The county judge did not know of the family. I happened to know that Mrs. Metcalf kept up a constant correspondence with her husband during his confinement and her address could easily have been obtained by an examination of the files. Shortly after her husband's death, within a week's time, Mrs. Metcalf wrote again to find out about her husband's condition. She was informed, and I have seen the letter, which she had in her possession, that her husband had

died on December 12th, and that not being able to find her, the proper disposition of the body had been made. She was not informed what had been done with the body, but came to Hopkinsville with the idea of finding it in the proper cemetery of Hopkinsville and of disinterring same and taking it back to her home for burial. Upon her arrival for the first time she learned that the body had been shipped to the University of Louisville. She immediately wired the officials of that school of medicine and asked for the return of her husband's body and asked that it be shipped to Paducah, where she and her friends had decided to have the funeral. It seems that the Rev. Metcalf had had a charge in Paducah and had some friends there. It seems that the University of Louisville required her to raise the sum of $60.00 before the University would ship the body, which she did and sent it to them. She and her friends went to Paducah and the body in the casket came by express. The undertaker examined the body and it was that of a red-headed boy and not that of her husband. She immediately shipped the casket back to the University of Louisville, and finally, after some delay, succeeded in obtaining the body of her husband. It had been mutilated and dissected. The exact time that she received the right body was January 5th, 1923.

That is about all I know about that case except that it is now pending in the Christian Circuit Court for final adjudication. These facts can be verified by either Mrs. Metcalf or her friends and other Methodist preachers in that community who investigated the case.

14. Did you ever talk to Dr. Durham about this matter?

A. No, sir; have never talked to him personally about it.

15. The letter that you read from the authorities to this widow, did it, in any way intimate what disposition had been made of the body?

A. No, sir.

(Questions by Senator Clark, of the Committee.)

16. Did the University or the Hospital answer this petition?

A. Yes, sir; they have filed an answer.

17. Did you ever see it?

A. Yes, sir; they plead to the jurisdiction of the court; that has not been finally passed on; in other words, they claimed that they could not be sued in Christian county and that they are a charitable institution and not liable for any cost.

18. Did they say anything in that answer about receiving the body?

A. My idea is that they will not deny receiving the body.

And further witness sayeth not.

The testimony of D. E. Barnes, given at the Capital Hotel on Tuesday night, February 12th, 1924. The witness being first duly sworn testified as follows:

(D. E. Barnes.)

(Questions by Senator Clark, of the Committee.)

1. State your name, age and residence?

A. D. E. Barnes, age 35 years old; residence, Hopkinsville, Kentucky.

2. How long have you lived at Hopkinsville?

A. Eighteen years.

3. How far do you live from the state hospital there at Hopkinsville?

A. Two miles.

4. Are you around there frequently?

A. Frequently; yes, sir.

politics, and having helped to manage more than eight cam-

5. Do you know the superintendent?

A. Very well.

6. How long have you known him?

A. Sixteen years.

7. Do you know the employes there in that institution?

A. I do; yes, sir.

8. What do you know about the activities in politics of the superintendent?

A. Having been connected with the county administration for more than ten years as a Democrat and a worker in campaigns in the county, I have had occasion to notice the political activities of the various superintendents at the institution for the past twelve years, and naturally have noticed their political activities.

9. Since the present superintendent has been in there, has he taken an active hand in politics in that county?

A. As much so, or more so, than any superintendent in the past 16 years.

10. What has he done since he has been there in the way of getting in active politics?

A. He has assisted the organization campaign for the Republican party; has participated in all their conventions and meetings; has taken an active interest during the campaign and used all of his official offices to further the interest of the Republican party.

11. Have you known of him discharging employes there on account of their politics?

A. Several of the employes have told me that that was the reason they were discharged; because they were Democrats, and the employes were intimidated and refused to vote because of the fear that they would be discharged.

12. Do you mean that they would not go to vote because they thought they would lose their jobs?

A. I do.

13. Are any of those employes in there at the present time?

A. I think so.

14. Are there more Republicans or Democrats there now in the employ of the institution?

A. I would say about two to one in favor of the Republicans.

15. Both men and women?

A. Both men and women; both white and colored.

16. Have they increased the number of employes there in the last two or three years?

A. I think so.

17. Mr. Smith mentioned one precinct there. Were you acquainted with the political complexion of that precinct before Dr. Durham took charge?

A. Yes, sir.

18. Do you think his presence there changed the political complexion of that precinct?

A. The superintendent at Hopkinsville can make a change of 100 votes there either for or against.

19. If he is a Democrat he can change that many, or if he is a Republican he can change that many?

A. Yes, sir; he can.

20. In other words, the politics depend on who is superintendent?

A. Yes, sir.

21. Do you hold any official position in your county now?

A. I am deputy county court clerk.

22. How long have you held that position?

A. More than ten years, with the exception of four years.

23. Do you know of the state's automobiles being used down there to get votes out for either party?

A. Yes, sir; they have always been used to carry voters to the polls; but I have seen them for the last three elec-

tions in various precincts in this city and in the county, hauling voters to the polls.

24. Do you mean to say that the state's cars are sent out to precincts other than the one in which the institution is located?

A. I do, yes, sir.

25. Who took the cars out, if you know?

A. The regular drivers for the institution.

26. The employes there?

A. The employes of the institution.

27. During the time that Larue was there, since this non-partisan board has taken charge, I will get you to state whether or not he took any hand in politics?

A. Larue was removed in 1921. I was in Paducah from 1919 until the election in 1921. I wasn't in the county at that time, but I presume he did. All the superintendents down there have done it. Politics have had no effect in the changing of the head of the institution there. It is run the same politically as it has been for the last 16 years; they get the same results and use the same means of getting the results desired in the same way as they have always done since I have been acquainted with the institution; they intimidate the employes; they are afraid to tell anything that happens in the institution; you can't get an employe to talk very much.

And further the witness sayeth not.

The testimony of Walter Ezell, taken at the Capital Hotel on Tuesday night, February 12th, 1924. The witness being first duly sworn, testified as follows:

(Walter Ezell.)

(Questions by Senator Clark, of the Committee.)

1. State your name, age, residence and occupation?

A. Walter Ezell; age 43; live in Christian county, Kentucky; circuit court clerk of Christian county.

2. How long have you been circuit court clerk?

A. Two years.

3. How close do you live to the state hospital there?

A. My residence is about 18 miles from the hospital.

4. Have you seen the hospital frequently during the past two years?

A. Yes.

5. Are you acquainted with the superintendent there?

A. Yes, sir.

6. How long have you known him?

A. I have only known him personally for the last two and one-half or three years.

7. Since you have known him and since he has been superintendent of that institution, do you know anything about him taking an active part in politics down there?

A. Having been in the fight myself on more than one occasion, I have had occasion to notice him being almost as active as any candidate might be.

8. In what ways did he take part in the election?

A. Well, he would ordinarily seem to be electioneering for the Republican ticket and would meet with the campaign committee. In fact, he attended practically all of their meetings and he would use the cars from the hospital to haul voters at various times.

9. To precincts other than the one in which the hospital is located?

A. I don't think I could say that, in fact; that I have seen them in any other precinct.

10. Those cars haul voters other than the employes of the institution, do they?

A. Voters from the institution so far as I know; I don't know of any outside.

11. You don't know of cars of the institution hauling voters other than those belonging to or employed at the institution?

A. No, sir; ordinarily at an election I am working out in the county.

12. Has there been a suit filed in your court in regard to the body of an old gentleman that died there in the institution?

A. Yes, sir.

13. Is that suit still pending?

A. Yes, sir.

14. Do you know whether or not the defendants in that suit have filed an answer?

A. Yes, sir; they have filed an answer, but I don't think I have ever read the answer, though it has been filed.

15. Are you well acquainted with that farm down there?

A. Pretty well.

16. What is the condition of it now as compared with the condition of it two years ago?

A. Well, I don't think the farm is being kept up like it has been in the past. I have had occasion—I used to be a stock dealer—and I have had occasion to go many times out over the farm, and I don't think the farm is in as good shape now as it was at that time.

17. In what way?

A. I had occasion to notice the dairy herd, for one thing, and I understand and know now that the dairy herd has been running down considerably, and the grazing part of the farm has been plowed, butchered up, for what reason I don't know, but the general conditions are not as good.

18. What about the fences and buildings?

A. Well, I could not say but that the fences and buildings are practically as good.

(Questions by Representative Drury, of the Committee.)

19. Did you have occasion to observe the work and management of Mr. Byars when he was on the farm?

A. Well, I knew Mr. Byars when he was there, and was out with him a few times. At that time Mr. Byars seemed to have the farm in good shape.

20. How was it compared to the shape it was in ten years ago?

A. Well, I could not say that far back.

And further the witness sayeth not.

The evidence of Lorenzo K. Wood, taken on Tuesday night, February 12th, 1924, at the Capital Hotel, Frankfort, Kentucky. The witness first being duly sworn, testified as follows:

(Lorenzo K. Wood.)

(Questions by Senator Clark, of the Committee.)

1. State your name, age, residence and occupation?

A. Lorenzo K. Wood; thirty-seven; Hopkinsville, Kentucky. I am county judge of Christian county.

2. How long have you lived in Hopkinsville?

A. Since 1915.

3. How close do you live to the Western State Hospital?

A. About two miles.

4. How long have you been county judge?

A. A little over two years; since 1921.

5. Have you been around the state hospital there quite a lot in the last few years?

A. Been around there some in the last two years.

6. Have you observed the condition of the farm in the last two years?

A. Don't know much of the farm; no, sir.

7. Do you know the superintendent?

A. I do.

8. How long have you known him?

A. I have know him for a little over two years.

9. Do you know anything about him being active in politics down there?

A. Somewhat, yes.

10. Go on and tell the committee just what part he has taken in politics since he has been superintendent of that institution?

A. Well, Dr. Durham is more or less prominent locally in his party. He is a man of considerable influence, and has had more or less active connection with his party in the county in its councils, and because of his acquaintance, particularly in the northern part of the county, where he came from, is a man of considerable influence. He was active more or less in the fall of 1921 and in the past summer and fall in the state race.

11. Do you know anything about the machines there belonging to the institution being used for the purpose of getting the votes to the polls?

A. Yes, they have been used in the obtaining of the attendance of the voters at the polls in East Palmira precinct that I know of. That is his precinct or the precinct in which the institution is located, and at the time of the convention last summer in the Governor's race they were more or less active.

12. Were those cars driven by employes of the institution?

A They were.

13. Have you known of them taking voters other than employes of the institution to the polls?

A. I don't know as to that. I might say this, that I happened to be in the race in 1921, and on the day of the election was at East Palmira precinct, and I know that we experienced some difficulty in getting the Democrats to the polls. I talked with an employe of the institution that day who told me that it was announced that morning that all employes were welcome to go to the polls and vote their various political faiths if they so desired; but this man further told me that while that was the pubic announcement, that there was current information—grapevine information if you wish to call it that—that it was more or less a case of them doing this at their peril; I mean by that the holding of their jobs.

14. You mean that if they didn't go and vote the Republican ticket they would lose their jobs?

A. It might have been construed that way. And that if they went and voted the Democratic ticket they might lose it. The inference was that they must vote the Republican ticket; but the public announcement was that all had a right to go and vote as they deemed it advisable.

15. Do you know most of the employes there in the institution?

A. No, I don't; know very few of them.

16. I believe that you stated that you are the county judge?

A. Yes.

17. Have you had any patients from the hospital there for the purpose of making county charges out of them?

A. In the fall of 1923, I think October; in fact I am quite sure it was in October, one Saturday afternoon two lady attendants of the hospital brought two old ladies into my office and announced that they had been sent in for me to take care of, and I asked why, and they said that they were

told to tell me that these old ladies were, to quote their expression, "harmlessly insane, who had reached the maximum of treatment." I protested that I had no place to send them except to the poor farm or the county jail. I asked if they had any people in the county—relatives or friends—and I was told that they had not. These were white women apparently people of what you would call people of good families. They were in age from I would say fifty to sixty, possibly sixty-five. It is difficult to judge the age of a person who has been in an institution some time. One of them was crying so that she could be heard all over the court house, and the other was cursing equally as loud. I refused to send them to the poor farm, because in my county the poor farm has unfortunates who are a great many of them I would say are people who are suffering with venereal diseases. I would not put these women in with them. I of course would not send them to the county jail. The circuit court being in session, under the law I had not the jurisdiction to retry them and re-commit them. I reported the matter to the circuit judge, Charles H. Bush, who alone had jurisdiction to recommit people, the county judge being without authority when the circuit court is in session, and he refused to take up the case under the circumstances and directed me to call the superintendent and return the patients, which I did, and they were accepted by the institution, and so far as I am advised are there yet. Let me say this; this matter was called to my attention possibly a month before by Dr. Durham, who said that a rule had been entered, if I mistake not, by the Board of Charities and Corrections that this thing be done; that these harmlessly insane who had reached the maximum of treatment should be returned to the various counties. I at that time told him I had no place for such people, because should they become dangerous and kill some of the inmates of the poor farm I would be criticized, and if I sent them there and they should be contaminated by some of these venereals, I would be criticized. The first thing I

knew of it afterwards was when they were brought to me that Saturday afternoon. I have heard nothing more from them.

18. Were these the only two that were sent to you that way?

A. The only two.

And further the witness sayeth not.

This was all the evidence taken at this time and place by the committee. The next session of the committee was held on Tuesday, February 19th, 1924, at the State Capitol Building, Frankfort, Kentucky, at four p. m. Present, all five members of the committee. At this time Mr. Frederick M. Sackett was called before the committee, and being first duly sworn, testified as follows:

(Frederick M. Sackett.)

(Questions by Chairman Young, of the Committee.)

1. Please give the committee your full name.

A. Frederick M. Sackett.

2. What is your business?

A. I am in the coal operating business; mining business.

3. Are you a lawyer, too?

A. Well, not much of one now; not enough to hurt.

4. How long have you been a member of the present board?

A. Since the creation of the board under the act of 1920. Previous to that time I served from December 17, 1919, until the creation of that board; I presume under the old Board of Control act, from December 17th, 1919.

5. Do you know whether the board ahead of you or probably the one that you first served on, had a contract to furnish coal to the institution?

A. My recollection of that is that at the time we went

into office we found a contract on file to furnish coal to the institution.

6. Do you remember the prices to be paid?

A. There were no prices to be paid under that contract. That was at the time just at the end of the war and it was very difficult to contract for coal, as I happen to know from being in the business myself, and when we took hold and investigated to see where we stood we found contracts that were made on the basis of simply an obligation to keep the institution supplied with fuel, the price to be made—I am speaking from recollection—the price to be the market price at the date of shipment, and without any certain, definite originating point, so that the coal could be shipped from anywhere.

7. That contract was—do you know where that contract is?

A. I presume it is in the records of the board. I have not seen it for a long time.

8. Will you undertake to try to get that contract and file it with the committee?

A. Yes, sir; I presume it is in the shape of several contracts for the different institutions, is my recollection. That contract was very soon after abrogated for the reason that the members of the board felt that they could not tell anything about the cost of fuel for the different institutions, not knowing where it was to be sent from and the freight rates being so entirely different, and they preferred to buy spot coal which they knew and on which they could control the rates.

9. That contract, as I understand, was canceled by your board?

A. That is my recollection; yes, sir.

10. Do you know whether they entered into any other contract for coal after that with anybody?

A. My recollection is that they didn't at that time enter into any contract for coal. Of course any purchase of coal is a contract, but not in the sense I take it you ask it.

11. Do you know whether or not you were appointed to negotiate for the purchase of coal at any meeting shortly after that?

A. I haven't a definite recollection but presume I was.

12. Do you know who furnished or can you give a list of the persons furnishing coal to the different institutions —persons or firms, after that?

A. No, I can't; but they are all of record on the books, and I can furnish them, I think, without question.

13. How often, Mr. Sackett, have you visited the different institutions since you have been on the board?

A. I have visited all of them a good many times, but I could not give you a definite number.

14. How many meetings of the board have you attended here at Frankfort?

A. A great many; I don't know the exact number.

15. Give us some idea?

A. I think it would be somewhere in the neighborhood of eighty per cent of the meetings that have been held.

16. You have the minute book that shows the persons present at these meetings, don't you?

A. Yes, sir.

17. And of course that would show it?

A. Yes, sir.

18. When you were present at these meetings did you usually have full membership present?

A. Well, I would not say that we usually have a full membership. We generally have a very good attendance. The minutes will show that themselves.

19. How many full board meetings have you had at the different institutions, as you recall it; your recollection?

A. In the four years and a half, you mean?

20. I mean since the Board of Charities and Corrections took charge?

A. I could not give you even an approximate guess on that, but can refer you to the minute book and give you a list exactly.

21. Does the minute book show the meetings at the different institutions?

A. Yes, sir.

22. Can you recall after the first meeting of ever having a full board meeting at Greendale?

A. No, sir.

23. Can you recall after the second board meeting of having a full board meeting at Hopkinsville?

A. No, sir.

24. You have abolished corporal punishment in these institutions, have you not, by the board?

A. There has been a resolution passed to that effect.

25. Do you know whether that is obeyed or not?

A. Well, all our reports—

26. Just tell what you know?

A. No, I could not say that.

27. Do you know whether or not the minimum punishment for the boys confined at Greendale, when punishment is inflicted, is fifteen days confinement in cells where they stand from ten to twelve hours a day at attention, only having ten minutes in each hour for exercises?

A. Is not.

28. That is not correct?

A. No, sir.

(Questions by Representative Drury, of the Committee.)

29. When the boys are put in the barracks at Greendale do you know how they are fed; what food do they give them; do you know that?

A. Not always, I don't.

30. Then you don't know what rations they receive when they are in punishment?

A. I could not give you the list of rations; could only get it for you. I do know, if you will pardon me, that the physician in charge says that they are properly taken care of and are not subject to any injury to their health in any way, and he examines them regularly.

(Questions by Representative Cain, of the Committee.)

31. You say the minimum is not fiteen days; what is it?

A. Well, some of them get out in as low as three days; depends on the character of punishment. I don't like to go beyond the chairman's limits on it but I think you will find that the matter of punishment, of punishing incorrigible boys has been a problem for the centuries, almost, and it is extremely difficult to make any punishment that will fit every case. I can't give you the facts without leading up to it very well.

(Questions by Representative Drury, of the Committee.)

32. This statement that the minimum punishment is not fifteen days, is that stated from your own knowledge or from information received from others?

A. It is necessarily given you from the records of the institution; can't be given in any other way than that.

(Questions by Chairman Young, of the Committee.)

33. Do you know, Mr. Sackett, whethor or not a couple

of boys who are sick are confined in these cells and have been for over sixteen days?

A. No, sir; I do not.

34. Do you know that in the cell in which they are confined there is nothing but a bucket, and that when the committee visited the institution they found them lying on the concrete floor, one with a carpet over him and the other with a dirty blanket?

A. Of course I could not know anything about that.

35. Do your records show that?

A. No, sir.

36. If that is a fact is it contrary to the rules of the board, isn't it?

A. I should think so.

(Questions by Representative Drury, of the Committee.)

37. Do you know the maximum period of that punishment?

A. Only as the records disclose it. I think sixty-two or sixty-three days is the longest time that any boy has been punished in my time. As I remember that case, he was afterwards transferred to the penitentiary because he was incorrigible.

(Questions resumed by Chairman Young, of the Committee.)

38. Then your statement, Mr. Sackett, with reference to the punishment inflicted, the food given, etc., is gained from the records and reports made to the board?

A. I have seen the food given to the boys when I have been in the room there. I have never been present both at the beginning and during the time and the end of the confinement of any boy, so I could not state from my own knowledge about that; it is not possible.

39. Mr. Sackett, is any firm with which you have any connection ever furnished any coal to any of these institutions?

A. Has not, in any shape, manner or form; has not, neither that nor any article in which I am concerned at all.

40. Do you know whether that is true of all the members of the board?

A. To the best of my knowledge and belief it is true.

(Questions by Representative Bush, of the Committee.)

41. Where do you live, Mr. Sackett?

A. In Louispille.

42. How long since you have visited Greendale?

A. I was in Greendale, I think it was in November, if I am not mistaken.

43. Have not been there since then?

A. No, sir.

44. And you haven't been there since then?

A. No, sir.

45. How long before that trip did you make a trip there?

A. I think it was in September previous.

46. How long did you generally stay when you make a visit there?

A. I could call it a day; that is, if I go to Lexington I would spend probably the best part of a day at the Eastern Hospital and the best part of a day at Greendale, but it is not always the case; cannot always arrange my affairs that way.

(Questions by Representative Drury, of the Committee.)

47. When you were there in November did you visit the barracks where the boys were being punished?

A. Yes, sir; I went up there.

48. Did you visit them in September?

A. Could not tell you now about that.

49. How many times have you visited the place where they are being punished at Greendale?

A. I suppose eight or nine times; something like that; I'm just estimating the times; could not be definite; in other words, when we go there it is one of the places we go to see if everything is all right.

(Questions by Representative Bush, of the Committee.)

50. When you make those visits to those institutions, those that have charge there, would they know that you were coming a certain date or would you take them by surprise?

A. Sometimes one way, sometimes another; if we were going to have a meeting there naturally they would know, but you frequently go to an institution without any notice. I often go out to Lakeland because it is not far from Louisville, and go into the grounds and around the buildings without going to the office at all. Then again I will go to the office. Those things are not cut and dried. Personally I have had a good deal of experience with the mechanical end of these institutions because it has been somewhat more in my end of the business than it has been with the other members, and I have directed some economies in the power plants that we worked out.

And further the witness sayeth not.

This was all the evidence taken at this time and place.

Evidence taken at the Capital Hotel on Tuesday night, February 19th, 1924, at 7:30 o'clock by the Investigating Committee.

James E. Wilhelm, called before the committee to testify at the above time and place, being first duly sworn, testified as follows:

(James E. Wilhelm.)

(Questions by Chairman Young, of the Committee.)

1. Please give the committee your name, residence and occupation?

A. James E. Wilhelm, Paducah, Kentucky; general representative of the Marion Machinery Foundry and Supply Company, of Indiana and Pennsylvania; and also president of the State Institution. I draw a salary on that, too; that is privately owned.

2. What business are the people engaged in that you represent?

A. The branch of their business that I represent is what is termed power plant equipment, steam specialties, equipment that goes with boilers but not in boilers, such as grate hangers, hand fired stokers, etc., principally.

3. As a representative of your company, I will get you to state if you submitted bids to furnish stokers for any of the institutions under the Board of Charity and Corrections?

A. Yes, sir; I did.

4. Will you please state the facts fully with reference to your bid, and what was done with it or about it, and all the facts connected with it?

A. Along in October, 1923, we were asked by Mr. George W. Hugley, consulting engineer employed by the State Board of Charity and Corrections, to furnish a bid for a hand fired stoker and hopper feed for a three hundred horse power boiler, that was being transferred from the Western Insane Asylum at Hopkinsville to the State Reformatory in Frankfort. I prepared and submitted a bid to furnish the entire equipment and installed the same under the boiler ready for firing, for the sum of $1,560.80, is my recollection of it; at least, that is within a few cents of it. I afterwards learned that the contract had been awarded to the Huber stoke people, represented by Mr. Lewis Doublas Morton, of Louisville, and from a remark made to me by my informant I concluded to investigate the matter. I went to the office of the commissioner of the State Board of Chari-

ties and Corrections and was given several papers relating to this stoker job at the reformatory, and in those papers was a tabulation of the bids. The one from the Huber Company, written in typewriter, was $2,180.00, which had been scratched out with a pencil and ink figures inserted below it for $1,950.00. The Henry Vogt Machinery Company, of Louisville, also had made a bid of about $1,850.00; and the Vogt Brothers, another manufacturer of such equipment, had made a bid of $1,800.00 and some odd cents, and our bid was $1,560.80. This tabulation seems to have been made up on a form at the State Reformatory, signed by Mr. H. V. Bastin, as superintendent, and on it was a notation recommending the acceptance of the Huber bid of $1,950.00. In these papers, however, was a letter from Mr. Hubley, the consulting engineer, to whom the bids had been referred, stating that they would note that he had not approved supplemental registration No. 156 for the Huber stoker for the reformatory for the reason that he considered the price excessive and the equipment of that character not worth the price, or words to that effect; and stated further: "It will be noted that the Marion Machine Foundry & Supply Company's bid is not only the lowest bid but is also the best delivery," and he recommended that the bid of the Marion Machine Foundry & Supply Company of $1,560.80 be accepted. For some cause or other there seemed to be a hitch in the proceedings somewhere and the Huber people afterwards wrote a letter making a bid of $1,600.00 for the equipment and the job was awarded to them at that price, being $39.20 more than the lowest bid.

I called upon Commissioner Byers to ascertain how it was that a competitor had been appraised of our bid and permitted to scale his bid twice or three times and then awarded the job in the face of the fact that the consulting engineer had recommended the acceptance of our bid and my recollection is that he said that while Mr. Hubler had the privilege of making recommendations, that he and the

board decided what was best for the state to do. I called his attention to the fact that if it was the policy of the board to seek bids and then peddle them out to some favorite one that it would only be a matter of time before the state could never obtain competitive bids, that no self-respecting manufacturer or merchant would go to the trouble of making a bid if it was the intention beforehand to give it to some one else. He disclaimed that that was the policy of the board and I merely replied that it was certainly the policy in the particular case, as shown by the records in his office, and I said, "my sole object in coming here is to ascertain exactly how it was done." He told me that perhaps Mr. Hubley or Mr. F. M. Sackett, of Louisville, could tell me about that; that some time back Mr. Sackett had phoned to hold up on letting that contract and later on had written him a letter, to which he replied along sometime in November, that the contract had been awarded to the Huber people at $1,600.00, which you will note was $580.00 less than their original bid, and then quoted from the records in this letter giving to Mr. Sackett the authority of the board to buy that equipment or like equipment. I went to Louisville with the intention of calling upon Mr. Sackett as a member of the board to ascertain how knowledge of our bid had been given out and a competitor permitted to scale his bid down, with the idea that if that was the policy of the state board that hereafter they would never receive any bids from our company upon any equipment that they might desire. I was informed from what I considered to be a reliable source by two persons that Mr. Sackett is related to Mr. Morton, the agent of the Huber stoker people and I didn't go to see Mr. Sackett for I can readily understand his natural interest in the matter, and the only object that I have in the matter now is that of a citizen, and I think the policy that was practiced in this particular instance, if it prevails in other transactions that are made through this board, it is detrimental to the interest of the taxpayers of Kentucky. As I previously stated, no reputable manufac-

turer or merchant will make a bid for furnishing the state anything if he has any idea that the bid, which he makes in good faith, was to be handed out to his competitors and they be given the opportunity of cutting down their prices and obtaining the business.

5. Is there anything else that you desire to state about it?

A. No, not particularly, other than it was represented that this equipment in the matter of weight was heavier than any of the others, which is not true. That fact has been established and determined by me personally by actual weights of similar equipment sold the Lakeland Asylum over here two or three years ago, and some other equipment, and in my investigation over at the penitentiary it was stated that the reason they favored this stoker was because it was interchangeable with another stoker that the parts were interchangeable with another stoker they had there and that was claimed by their chief engineer, Mr. Lafever—that they could interchange the parts.

I remarked to him that they could not interchange parts of a stoker under a three hundred horsepower boiler with those under a five hundred horsepower boiler. He said, "No, we do not claim to do it." I put the same question to Mr. Hubley. He said, "No, we don't claim to do that either." It, therefore, seems to have been predetermined that this job was to be awarded to the agent of the Huber people; otherwise why did he make a bid for $2,180.00 and afterwards scale it down $580.00; and I don't know what price was paid for the stoker at the Lakeland Asylum, which was a Huber stoker, or what price was paid for the one under the five hundred horsepower boiler at the reformatory, but I have my doubts whether there was any competitive bidding done on those two jobs.

6. Do you know, or have you seen where the minutes of the board showed that in addition to the price that was paid

for the machinery to these folks on this bid and other bids which were awarded to them there was an extra eight hundred dollars, eight hundred and some odd dollars, paid to them for extras on this and other jobs?

A. Oh yes, I have seen the minutes of the board there, where there seems to be quite an account allowed there for extras and all that. That is from the official minutes which I understand to be of the Board of Charities and Corrections. Seems that they were allowed something like $4,000.00 extra, over here on a job at Lakeland. As to just what it embraced, however, I can't say, because they don't itemize it on their record. And I have also seen on the minutes where they claimed that they had lost money on some of their installations here at the reformatory and at the Lakeland asylum; and I want to say this, that during the five years that I have been with my company we have never lost any money. If we did we stood it and didn't ask anybody to make it good.

7. You were not dealing with the state, though, were you, on these deals?

A. No, sir.

8. Mr. Byers wasn't the buyer in those cases that you are telling about?

A. No, sir; I said if we lost anything, we stood it ourselves. It is our rule and that it observed. We have a printed price list and the factory quotes the same as the men in the field.

9. You are not related to the buyer, or any of the members of the Board of Charities, are you?

A. No, sir. I will say further, too, Judge, that I have one or two warm personal friends who are members of the Board of Charities and Corrections and to this good day, although I have been in towns where they live, I have not said a word in regard to selling the state anything. If we cannot sell goods on their merits, we will not sell them.

10. You have not sold the state lately, have you?

A. Not lately. Since you speak of that matter, it just calls to mind another fact that was brought out. In this particular instance of the stoker for the three hundred horse power boiler, our bid was the lowest and it was awarded to the Huber people at a higher figure, a few dollars higher. On several occasions my firm has made bids through me to supply the state with what is called mechanical soot blowers, and there is a competitor whose price was a little bit lower than ours who was awarded the contract, and I called Commissioner Byers' attention to that fact. I said, "In the matter of soot blowers the lowest price gets it with you and Mr. Hubley, but on the matter of stokers the lowest don't get it; you just simply each way."

(Questions by Representative Bush, of the Committee.)

1. How long has it been since you have done any business with the state or with Mr. Byers?

A. I have sold them some since he has been commissioner.

12. In the last four or five years?

A. Yes, sir; but it was where they said they wanted that or no other or would continue with the old equipment.

13. It was a case that they could not get any more elsewhere?

A. Yes, sir.

(Questions by Representative Drury, of the Committee.)

14. You have not sold them anything since you failed to get the stoker contract?

A. No, sir; I don't want to create the idea that we got sore about that. We don't sell all the equipment and we general agents lose a good many jobs and on a square bidding proposition we take our medicine and let it go, but where there are questionable methods, right then and there

is just exactly where it makes us feel like we want to know exactly how it was done. This transaction is closed now; no doubt paid for and all that.

(Questions by Representative Bush, of the Committee.)

15. Well, you do feel like the supplies that they have used and what you sell, that you could have saved the state some money?

A. Yes, sir; even on the price and they are forgetting the matter of the quality, to be candid with you—of course, that might sound like being a little bit far fetched—we would not hesitate one minute to lay the equipment right down beside the other equipment at Louisville of our competitor. We would do that at Louisville before our most active competitor and let disinterested people say whether it was inferior to ours, and if they say ours is inferior we will pay all the expenses; otherwise the state pay for that proposition. that looks a little bit like—

Chairman Young—We don't want to burden the record too much, Mr. Wilhelm.

A. All right, Judge, excuse me. I do want to introduce two letters which I wrote regarding this stoker contract which are dated November 27, 1923, and January 1, 1924.

16. All right; let them be considered part of the record.

Said letters are marked for identification, respectively, Wilhelm No. 1 and Wilhelm No. 2.

Exhibit Wilhelm No. 1 is in words and figures as follows:

"Louisvile, Ky., Nov. 27, 1923.

Dear Sir:—

I wish to say to you I spent practically all of yesterday at the office of the Board of Corrections and Charities and

at the State Reformatory, Frankfort, endeavoring to ascertain how the figures of the bid of the Marion Machine Foundry & Supply Co., of $1,560.80 to furnish the reformatory a hand fired stoker and hopper feed for the 300 horsepower boiler now being installed there was given out or became known to the agent of the Huber stoker who was also bidding on the job, and whose original bid was $2,180.00, which was later reduced by him to $1,950.00, and then still later reduced to $1,600.00 and awarded the contract at a highed figure than our bid.

Although I was given every paper said to be on file at both offices, yet the information sought could not be supplied us, but Manager Jos. P. Byers did say that Mr. Fred M. Sackett, a member of the board, did telephone the office of the board from Louisville some weeks ago to hold up on letting the contract for the stoker and hopper feed, and that, perhaps Mr. Sackett could enlighten us. So I returned here as the general representative of the Marion Machine Foundry & Supply Co., in Kentucky and six other states, and as a taxpayer and resident of Kentucky for the past forty years, with the intention of politely inquiring of Mr. Sackett, a public official, if "he could throw any light on the subject of our quest."

I did not call to see Mr. Sackett for the reason that after my arrival here I was reliably informed by two different persons that Mr. Sackett is related to Mr. Morton, the Huber agent, either by blood or marriage. Therefore, I can well understand Mr. Sackett's natural interest in the matter, and it is also possible that the circumstance explains why a seeming partiality exists in other quarters towards the Huber equipment, for it is a fact that the Huber stoker was purchased by the state for the 500 horsepower boiler at the reformatory, and also for the four boilers at Central State Hospital, Lakeland, a year or so ago, by taking out the Jones underfeed mechanical stokers from under those four boilers; yet the several boilers at Western Kentucky Insane

Asylum, Hopkinsville; Feeble-Minded Institute, Frankfort, and Eastern State Hospital, Lexington, are still equipped with Jones underfeed stokers and have been so equipped for some years. If the Jones stokers continue their use under the nine boilers at the three institutions named? On the other hand, if it is to the best interests of the taxpayers to continue the use of Jones stokers under the nine boilers referred to, it is reasonable to suppose that the same results could be obtained at Central State Hospital and the reformatory, and under those circumstances no necessity existed to make a change.

In the painstaking investigation it was shown by the state records that four manufacturers of hand stokers and hopper feeds filed bids on the reformatory job of equipping the 300 h. p. boiler. Three of the bids "were below both the first and second bid by Mr. Morton for the Huber equipment. His third bid was below two of the bids, but still $39.20 above the Marion bid of $1.560.80, and which Mr. Geo. W. Hubley, consulting engineer to the board recommended being accepted as the lowest and best bid, but from some cause or other his recommendation was ignored, and the Huber people apprised of the state of affairs; and then they began to reduce their price, not once but twice. The Marion bid was made in good faith, and had we known that such a policy in the premises would be pursued, as was pursued, we nor any other self-respecting concern would have given the state a price, but left them to pay the first price named by the Huber people, and which Mr. Hubley declared to be excessive.

While on the subject of price, it would perhaps be illuminating to the board and the taxpayers as well, if a comparison could or would be made with the prices the Huber people charged the state for the stoker now under the 500 h. p. boiler at the reformatory, and for the four stokers at Central State Hospital, none of which include the hopper feed.

If the Board of Control would take the pains to investigate, it would no doubt find that the stoker the Huber

people propose to furnish under the 300 h. p. boiler will not weigh 7,200 pounds, as alleged in their proposal; for I have personally weighed some Huber bars and parts at Central State Hospital and at a Louisvile plant, and they are not as heavy as the Marion bars and parts—nor is the Huber stoker as a whole as heavy as the Marion stoker, yet in the requisition from the reformatory a statement is made that Huber stoker is heavier than those of the competitors, also of a better quality, which likewise is not true, for in our proposal we guarantee the material to be of a higher heat resisting quality and a clip or bearing protecting trunnions and frames from direct contact with fuel bed.

Further, it is alleged in the final bid of the Huber people that the stoker is uniform and inter-changeable with the one under the larger boiler; such is not true for both Mr. Hubley and Chief Engineer Lefever, at reformatory, when their attention was called to that claim, readily admitted that bars and other parts of a stoker under a 500 h. p. boiler will not fit or interchange with those of a 300 h. p. boiler because under the larger boiler, the furnace is naturally larger. Furthermore it was claimed to me by Manager Byers that they preferred the same make of stoker because they required different methods of firing—that is not correct for all hand stokers are fired identically alike, and with the hopper feed there can be absolutey no difference in the method of firing; and in appearance all hopper feed fronts are practically alike.

I well remember that I called Mr. Byers' attention to the fact that in the matter of mechanical soot-blowers for the boilers at several of the state's plants, that Mr. Hubley had said the order was awarded a competitor because of a little lower price than the Marion, and had asked me why our price was higher, and was told that we used a higher grade of material. The same reason was given by some of the state's operating chief engineers, for preferring Marion equipment, in a meeting of those engineers with board offi-

cials last February. However, I waived the question of quality yesterday in our discussion with Mr. Byers, and pointed out that the order for soot-blowers was given to a competitior because of a lower price, yet in the matter of stokers, although our price was the lowest, the order is given the Huber people at a higher price than ours.

The facts given above are borne out by the state records, and are susceptible of positive proof; and it is very evident that the Marion Machine Foundry & Supply Company did not get a fair, impartial and square deal, and instructions have come from our home office to thoroughly investigate the whole matter, and in this I personally join as a taxpayer of Kentucky. For while such a course, as seems to have been taken by the officials, may be the privilege of an individual to take, yet not so by those representing others, and especially the public; and while Mr. Byers sincerely says, and no doubt truthfully, that it is not the policy of the board or its officials to give out information while bids are pending so as to enable a bidder to reduce his price, yet it is a fact, as I stated to him, such undoubtedly was the policy or course in this particular case, and just who is responsible for the injustice and unfair treatment to the other bidders, I am unable refinitely to state at this time.

In competition with the Huber people and others recently at two of the larger ice plants in Louisville, where all parties were impartially heard, the owners thereof, after visiting a number of installations of hand stokers in Louisville, of their own accord, went to the expense of visiting the main plants of our company at Marion, Ind., and returned here and bought Marion equipment.

In the specifications for a building to cost over $100,000 the contract recently awarded, originally the Huber stokers were specified, but when the consulting mechanical engineer to the architect saw the Marion stoker he had the Marion equipment substituted. In the contract for a three million

dollar building to be erected in Louisville next year, the Marion stokers are specified.

If you deem it advisable, you will please place the above facts before the Board of Control at the meeting to be held tomorrow, with the request that an investigation will not only reveal the fact that the Marion Machine Foundry & Supply Company is justly entitled to the contract, and that if the two equipments are investigated by impartial and competent men, it will further be discovered that all things considered our bid and equipment is the best to be obtained.

As I have personally and emphatically stated to all parties concerned, our only object in investigating this matter is to arrive at just where and how the matter has been handled just as it was handlel. If we lose in a fair, square, open and above-board transaction, we have a word to say or complaint to make; but we do believe that any real American citizen would at least seek to find out just why public officials pursued the course that was taken in this matter.

Yours very truly,

JAS. E. WILHELM.

Exhibit Wilhelm No. 2 is in words and figures as follows:

Lexington, Ky., January 1st, 1924.

Dear Sir:—

Your kind reply of December 13th to my letter of November 27th, in reference to the purchase of a hand stoker for State Reformatory was duly received and noted. I made two trips since to Frankfort to see you, but the first time you were in Louisville, and the second time at the funeral of your mother, and my trips to other states and the holiday season prevented further attention to the matter until now.

As I believe it to be to the interest of the taxpayers of Kentucky to have the matter—if possible—fully investigated, and the further fact that Governor Fields has thus early convinced me that he stands for a square deal to the State of

Kentucky, and which includes all who seek to do business with the state, I favor accepting your advice in the premises, and request that you submit the matter to the Governor for such consideration as he may think it deserves.

You will remember that in the interview with Commissioner Byers on November 26th, I mentioned to him that I went to Frankfort November 17th, called at the Capitol at noon for the purpose of seeing the public records in his office in this case, but it being Saturday, the office was closed; so I returned there from Lexington on November 19th, and the office was in charge of three young women, Mr. Byers being absent and the chief clerk away on a vacation, so I was told. After explaining my mission one of the young ladies went into the next office and gave me some records in the case, which I returned as soon as I had read them. You will also remember that Mr. Byers then remarked that if he had been there it would have been handled differently. By that remark the only sane conclusion, or inference is, that I would not have been permitted to see the records. I was not disposed to take issue with him at that time, but if that is what he meant, he was badly mistaken, for those records are the property of the people of Kentucky, and all such records of expenditures of public money for public purposes and the transaction closed, are subject to inspection by any taxpayer. Therefore, any refusal for me to see such papers would have been promptly met with a court order compelling the records to be produced. If such is not the case, then I do not understand the American form of government. However, if that is the policy of that office, it is but on a par with what I was told by one of the clerks two years ago when I called at that office to explain that a difference in quality of power plant equipment exists just the same as in everything else, but was told by him that for a traveling salesman to call at the office lessened his chances of selling, and that those matters came up on recommendation from those in charge of the institutions. But it is evident that such is not true, for you

will remember in the interview with Mr. Byers November 26th, I mentioned that the records in this case showed that Consulting Engineer Hubley, employed by the state, recommended the acceptance of our bid, and Mr. Byers replied that it made no difference what recommendations came up, that he and the board decided what was best. It is a further fact that in some instances where the chief engineer at some of the state institutions recommended the purchase of Marion equipment on the grounds of better and more lasting qualities, that some one higher up ignored those recommendations.

The public records in this case will show that reference is made to "other stokers now in use at the State Reformatory," and also "at present in use under other boilers at the State Reformatory," which is misleading, for it is a fact of the seven boilers then in the power house of the reformatory there was but one boiler equipped with one stoker, the other six boilers not equipped with stokers, but with an entirely different type and make of improved grates. By the use of the plural words, the board, or any one else, could infer that all the other boilers were equipped with stokers, when but one out of the seven was so equipped.

While from a technically legal standpoint you say "the contract was not let on what is known as competitive sealed bids," and Mr. Byers called the several bids "mere quotations," I wish to say that Consulting Engineer Hubley stated to me at the time that he was asking for all bids to be uniform and the equipment to be delivered and installed ready for firing, and I filed with him our formal bid. Had Mr. Byers, or anyone else in authority, told us, and the other bidders, too, that the bids would be considered "mere quotations," and the contract not awarded the lowest bidder, the state would have had but one bid and been compelled to pay the Huber people $2.180.00, or $580 more than their final bid, made after they discovered competition to exist, and their first prices were declared "excessive" by Mr. Hubley, who is employed by the state to advise in matters of engineering

and equipment. Hence by the questionable act of someone in making known the other bids, the Huber people were forced to come down $580, and then awarded the contract at a higher figure than that at which better equipment could have been obtained. To me, it smacks of questionable work somewhere, for after the attempt to gouge the state by asking an "excessive" price, that bidder was later awarded the contract. Why?

If competition made in good faith is to be ignored, and only used to hammer down a favored competitor, as shown by the official records in this case, and in a department handling the expenditure of over a million dollars per annum of the taxpayers' money, it will be only a matter of time when the state cannot get competitive bids, and thousands of dollars of public money paid to favored ones, in excess of legitimate prices. This is the main point to be considered in this matter, as well as why reputable bidders were not given a square deal. Furthermore, as a taxpayer and citizen of Kentucky, I will frankly say that if any member of the Board of Charities and Corrections, or anyone in its employ, favors the policy pursued in this case, and does not favor fair, open and reputable methods of competition towards those whom they ask to do business with the state, then it necessarily follows that they are not apt to be fair, open and above-board with those they represent. The official and public records speak for themselves, and it is the public's business, and the public stand for fair and open methods.

Therefore, I trust that Governor Fields may deem it to the interest of the state to have an investigation made of the matter, and the full and complete facts placed before him for his information. Should the Governor decide to have the matter investigated, and wishes to include a comparison, by disinterested mechanical engineers of the equipment bought and that which could have been bought, then in the event of their report failing to establish the fact that the state could have bought better, more durable, and economically operated

equipment for a price less than what was paid, I will pay the bill for such engineers, and immediately file with the state a certified check for $100.00 to cover said expenses.

Bear in mind, please, that I consider the purchase of the equipment closed, and only seek to have placed before the Chief Executive of the state the facts in the case so that he may satisfy himself as to whether or not the methods employed in the transaction stated, meet with his approval, and if they do not, to please exercise his good offices towards seeing that in the future those seeking to do business with the state will have the assurance of receiving a square deal, and that purely personal considerations of any member of the board, or anyone in its employ, shall not have a place in determinating public business, but that price and quality shall prevail.

Yours very truly,

JAS. E. WILHELM.

Evidence taken before the committee at the Kentucky State Reformatory, Frankfort, Ky., on Friday morning, February 22, 1924. Present—all five members of the committee.

W. B. Fuller, called before the committee at the above time and place, being first duly sworn, testified as follows:

(W. B. Fuller.)

(Questions by Chairman Young, of the Committee.)

1. Will you please give the committee your full name, address and business or occupation?

A. W. B. Fuller, chief clerk, State Reformatory; 234 Holmes street, city.

2. How long have you held this position, Mr. Fuller?

A. I can't say exactly; been in the employ of the institution since, I believe, the 8th day of March, 1920.

3. Is there any way by which you can find out when you were made chief clerk?

A. Yes, sir; I think the payroll will probably tell when I came into the office.

4. About how long has it been, from your recollection?

A. I went in as chief clerk not far from April, 1920.

5. As chief clerk, what are your duties?

A. I have general supervision over the work in that department in here, handling of funds that come into my hands belonging to the institution, have charge of making up various records pertaining to prisoners who are received and discharged, keeping the time of contract labor and various other small duties.

6. Well, what are they?

A. Well, writing checks, giving receipts for all money, receiving all prisoners, making up record cards and furnishing biographical statements.

7. Biographical statements of what?

A. Of prisoners; furnishing duplicate records to the Board of Charities and Corrections, making up monthly reports of personnel, making up distribution of daily prison population and of labor, making up weekly reports of prison labor, and having charge of prisoners' personal accounts. That pretty much catches it.

8. Have you an account known as the petty cash account—keep an account of that kind?

A. Yes, sir.

9. What funds; what money; from what source does the money come that makes up the petty cash account?

A. Comes from the State Auditor and is allowed on disbursements reported by receipts from the institution. It is checked through the board, verified through the State Auditor and is a revolving fund which is reimbursed to the extent of the receipts attached each month.

10. What I mean is who pays that money in and for

what; I mean what makes up the account; is it for stuff sold —aren't the prisoners allowed a certain amount?

A. No, sir; not from the petty cash.

11. You mentioned as one of your duties also that you kept the biography of the prisoners?

A. Yes, sir.

12. Do you write the history of their life as you get it and what do you put in that statement?

A. We usually take a statement from him to the effect whether his father and mother are living and where they live and if they have bad habits, using cocaine, morphine, etc., or if ever any Feeble-Minded Institute or house of insane or prison, and take his immediate relatives' names and addresses so as to verify the correspondence, and get a history of all his work for the time he is here.

13. Do you include in that any charge that might be against him other than the one for which he is being confined?

A. If he has been in prison elsewhere we usually put that on.

14. If he is charged with any other crime or wanted anywhere else, do you put that on?

A. That is usually put on another record.

15. Do you do that?

A. It is done under my supervision.

16. Were you chief clerk when Frank Blair left here?

A. Yes, sir.

17. Have you that biography of him where you can get it?

A. No, sir; had not made up that record at that time; was not put in at that time.

18. Did you have any information, or did you know of anybody who did have any information, that Frank Blair was charged with other crimes at other places than here?

A. I did.

19. Where?

A. I knew at the time that he was wanted by some of the government officials.

20. When that fact is known generally that a man is charged with other crimes or wanted by other officials, are they usually taken away by their friends or the other officials notified and they are held?

A. They are usually held.

21. Blair was not?

A. No, sir.

22. Who did he go away from here with?

A. He left here with—the best I remember—with Arthur Doyle, the Assistant Auditor at that time.

23. Anybody else?

A. Don't remember any other one.

24. What time in the day did he leave?

A. Between four and five o'clock in the afternoon.

25. Did you notice how he left?

A. He went out the gate walking.

26. Did you notice whether he walked on or whether he rode?

A. I can make this statement; that he had forgotten his pardon and left it lying on my desk. I went out with it and he was about fifty yards up the streets walking with Mr. Doyle. I hollered at him and he came back and got the pardon.

27. Was anybody to see him there that day that you know of before he was turned out?

A. Not that I know of.

28. Who brought the pardon here?

A. I can't say who brought that pardon here. I was

in my office at the time. I am of the opinion that Mr. Doyle brought it; however, am not positive.

29. How long after he came in was it that Blair left here?

A. Between an hour and a half an hour.

30. Who else was here with you at the time?

A. I can't say I remember anyone being present.

31. Well, you can't say that you remember it. As a matter of fact you have no recollection at all?

A. The boys in the office here; those that work here, and Mr. Doyle was in the hall and here in the office part of the time waiting.

32. Anybody else?

A. I don't remember.

33. Did you have any other alias for that fellow except Frank Blair?

A. Yes, sir.

34. How many?

A. One that I know of.

35. What was that?

A. John Doe.

36. How long was Blair here?

A. I am not positive of the sentence he was making; seems to me it was five years.

37. Well, how long had he been here?

A. Something like half his sentence.

And further the witness sayeth not.

Also the evidence of Arthur L. Young, taken at the Kentucky State Reformatory, Frankfort, Kentucky, on Friday, February 22, 1924. The witness being first duly sworn, testified as follows:

(Arthur L. Young)
(Questions by Chairman Young, of the Committee.)

1. Will you please give the committee your full name, present address and your occupation or business?

A. Arthur Leroy Young; my last address was Louisville.

2. And your present address?

A. Frankfort; occupation is clerk; bookkeeper and clerk.

3. Who are you bookkeeper and clerk for?

A. The Reliance Shirt Manufacturing Company.

4. Have they a contract with the state for prison labor?

A. I believe they have; yes, sir.

5. Have you any doubt about it?

A. No, sir.

6. How many convicts do they work usually; that is, work for them?

A. Well, our contract is fluctuating continually; can give you approximately about what it will average; at the present time about three hundred and twelve men.

7. What price is paid for these men?

A. I have never read the contract; what I say is not authentic necessarily, of course; I will just give you what I heard. I believe it is a dollar a day up to the amount of eighteen dozen shirts; over that, I think, they are paying a bonus.

8. What do you mean by paying a bonus?

A. So much per dozen allowed over eighteen dozen shirts per day.

9. Is that paid to the man or does it come to the state?

A. Comes to the state.

10. Does each man have a certain part he does?

A. Productive men do; yes, sir.

11. What is the task?

A. Well, we have twenty-six operators over there; have twenty-six different tasks; each operation has a task of its own.

12. That is what we want; give them, please?

A. I will try and give them all to you.

13. That's all a good horse can do; try.

A. Centers, one hundred and ten dozen. I am giving you the contract task. I am not saying anything about the guard's task or anything else.

Centers, 110.
Center button strips, 110 dozen.
Center boxes, 60 dozen.
Pockets, three tasks on an average of 37½ dozen.
Pocket flaps, 110 dozen.
Pocket buttons, 110 dozen.
Pocket button holes, 180 dozen.
Hemming, 50 dozen.
Yokes, 70 dozen.
Tickets and hangers, 70 dozen.
Shoulder joining, 110 dozen.
Neck trimming, 120 dozen.
Collar setting, 20 dozen.
Cuff stitching, 22 dozen.
Cuff running, 45 dozen.
Botton sewing, 50 dozen.
Botton holes, 50 dozen.
Sleeving, 45 dozen.
Side seaming, 42 dozen.
Sleeve boxing, 45 dozen.
Collar banding, 65 dozen.
Collar stitching, 70 dozen.
Sleeve joining, 70 dozen.
Sleeve facing, 80 dozen.
Sleeve button strips, 75 dozen.

An operation called "quarter collars" for which they had no set task.

Collar turning, which is also known as collar pressing, for which there is no set task.

Trimming, 20 dozen.

Folding and pressing, 2 tasks on that—55 dozen for single pockets and 75 dozen for double.

I believe that is all there is.

14. Do they have any task known as guard task?

A. I don't care to answer some of these questions unless I am given protection.

15. Go ahead; you will be given protection.

A. What do you mean by protection, Mr. Young? Mr. Bastin is a perfect gentleman; always has been. But there are others in here that I have got a fear to talk.

16. Has there been anything said with reference to people talking here that you know of?

A. I can only speak for myself.

17. Well, what was it? Go ahead and tell it. I will say to you this, before you go into making the statement, that this committee wants only the truth. Men testifying to the truth here I can say to are not going to be disturbed and I have authority to make that statement.

A. I grant you all that, but there are many different ways that a man can suffer in here.

18. How?

A. I don't care to answer this question. I have said Mr. Bastin is a perfect gentleman and always has been, but I have got a long time here yet and can't afford to jeopardize myself.

19. How long is your time?

A. I have got twenty months the short way.

20. How long have you been here?

A. Going on thirty-six months.

21. I want to say to you, Mr. Young—of course I don't know you or anything about the conditions, but I am going to say that we will have a man to visit these prisons and this one and that man will make his report to the Governor and if you are punished in any way for making a truthful statement here the Governor I am sure will see that that isn't done and I know that so far as in any way they undertake to visit any sort of punishment on you, that you will be protected.

I want to ask you if you know anything about these guard tasks?

A. Well, they have a task that is over the contract task.

22. Well, what is it?

A. All I can say is that the men are requested to make more than the contract task.

23. Do you know of any men paying to be relieved of their task, not to make it?

A. What do you mean?

24. I mean, do you know of any of the prisoners that the task was put on who have paid to be relieved of it?

A. Yes, sir.

25. State if you will to whom they paid this money, if you know?

A. Well, the prisoners will work with each other; some men are more capable of making that high task and can make more than others, and those that are not capable of making naturally buy from them. They call it getting by.

26. Do you know a gentleman by the name of Hopkins that is connected with this institution?

A. I do; yes, sir.

27. Do you know whether the Reliance Manufacturing Company, through anybody, you or anybody else, or whether you gave Mr. Hopkins twenty-five dollars worth of cigars last Christmas?

A. Well, I really don't know the exact amount that was paid for those cigars, but know he got a box of cigars.

28. What does he do?

A. Assistant superintendent of this institution.

29. Do you know of them furnishing him cigarettes at intervals, and chewnig gum?

A. Yes, sir.

30. You know, don't you, Mr. Young, that it is contrary to the rules and regulations for employes at this institution to accept gifts from contractors?

A. Only in this way, that Mr. Bastin has refused these gifts, stating that it was a rule of the board prohibiting those things. He turned his back where Mr. Hopkins accepted his.

31. Now this task that we have been talking about—they call it guards tasks, don't they?

A. Yes, sir.

32. Well, in regard to that, how much is the most that you have ever known them to put on one man in addition to the regular task required of him?

A. I will have to do a little explaining in that because if I don't you won't understand what I mean.

33. Alright, go ahead.

A. Some time ago, I think this last November a year ago, up until that time the men were getting overtime from the shirt company; so much money for every task they made over. Some of the men made from three to ten to twelve dollars overtime in money.

34. In what length of time?

A. A month.

35. Alright, go ahead.

A. At this time when they stopped paying this overtime to the prisoners it seems then that some of those men were making considerable over and their tasks were raised

in proportion to what they were making when they were getting paid for it. Some men would make double tasks in a day. They were getting paid for it then; would average from five to fifteen, twenty or thirty dozen a day, depending on what task they were on. Of course it is my understanding that Mr. Hopkins raised that task then in proportion to what the men were making when they were getting paid for it.

36. Now you said awhile ago that something had been said to you with reference to talking or testifying. I will get you to state to the committee what was said to you?

A. Well, I will have to cite an experience that I went through with here in order to get at the basis of it.

37. Alright.

A. I was put in solitary confinement for a length of I believe it was thirteen days, because I was not in a position to tell of things that were transpiring in the League store—the Mutual Welfare League store. It seems that one or more of the clerks in the store told Mr. Hopkins certain things about me and without question of chance of defense he just throwed me in that hole and forgot I was down there. He visited me several times down there. Of course I will not state the things that transpired between us.

38. Go ahead and tell that.

A. I would rather not.

39. We insist on that.

A. I was classed with the lowest dirty-ass negro in this place. I was "God damned and son-of-a-bitched" from beginning to end. I was not given any chance, as I said before, to defend myself at all. I didn't know what I was down there for. I didn't know my charge. There was no charge on the door. I was accused of anything and everything, and the foundation of the whole matter is this: I do display a little intelligence, and I have got a good position in here. The people that I am working for are good friends of mine. Of course I am doing their work and can well afford to do their work.

And any man that shows any intelligence in here is no friend of G. C. Hopkins, because he will ride you until he puts you where he wants you. He is no gentleman and displays neither mercy nor kindness. He is far from a gentleman.

40. Do you know anything about fights being staged here in the cellhouse for the entertainment of the guards?

A. Plenty of them.

41. Will you please tell the committee how it is done and what is done and where it takes place?

A. Well, it seems that when an altercation comes up in which they wish to fight, they are led to the cellhouse—it is a large cellhouse. They go down there and battle it out until one or the other says he has got enough.

42. Have you ever known of white men being compelled to fight negroes?

A. Yes, sir.

43. Ever know of small men being compelled to fight large men?

A. Yes, I have.

44. When they do that fighting do they really fight with their fists?

A. If you could see some of them when they come out of there you would think so.

45. Well, how do they look?

A. Blooded up, bruised and clothing torn.

46. Do you know whether they have a punishment here known as the water cure—do you know whether they have that or not?

A. They used to have.

47. How long ago?

A. I can't give you any definite date.

48. Well, when was the last that you know of that being done—about?

A. Well, say six or seven months ago; maybe longer than that.

49. What was that water cure—what did it consist of?

A. All I have heard is—I never seen it with my own eyes—is that they simply turn a hose on a man.

50. Do they strip him?

A. I believe they do, sir.

51. Turn this water hose on him?

A. Yes, sir.

52. With this pressure here?

A. I don't know what the pressure is.

53. You have drawn water around here and seen it drawn, have you not?

A. Yes, sir.

54. They get their water here from the regular waterworks, don't they?

A. I cannot answer that question.

55. Have you ever heard any manifestations like crying out or groans from any of these punishments?

A. Yes, sir; I have.

56. What would be said; describe that to the committee?

A. You know I am working in the third floor of that brick building right inside the stockade gate; our offices are there, and I hear those cries especially in the summertime, if the windows are open, because solitary confinement is right down the wall from that building.

57. Would there be moans and groans from this punishment?

A. Well, would be more of a cry for mercy.

58. How long would they generally or usually, so far as you have heard last; how long would they turn that water on them?

A. Well, I never timed them; not a long duration.

59. Five minutes?

A. No, I don't think so; not that long.

60. A minute?

A. A minute or two approximately.

61. You have never had that treatment?

A. Thank God, no; and I don't want it.

62. Do you know of any other men here that know about these things that we could likely get any information from?

A. Just what kind of information do you want?

63. Along the lines that I have been asking you about, all with reference any treatment of the men and the conduct of this reformatory.

A. Gentlemen, I would rather not suggest any one because I can't vouch for their integrity.

64. Well, who in your judgment knows about it, whether they will tell it or not?

A. My associates in here are few because I find the less friends you have in here the better you get along; I mean among the prisoners.

65. Well, who in your judgment ought to know or does know about any of these things?

A. I know one man in here that according to my way of thinking is very unjustly treated.

66. Who is that?

A. Of course I have only got his side of the story; I know the punishment he went through.

67. What was it?

A. He was confined in solitary; and when you say solitary you are saying a whole lot.

68. What is that solitary?

A. It is solitary confinement.

69. What is it composed of; where is the place?

A. In the cell block.

70. Is the room dark?

A. Well, the only light that you have is what sunshine may seep in there, in the one that I was at least.

71. Do you know the number of that one?

A. No, sir; don't know that it has got a number.

72. Know where it is located?

A. Yes, sir; I believe it is the northeast corner.

73. Do you know how long he was kept there?

A. He was in there a good long time.

74. What was he charged with?

A. I don't really know. I will tell you just what he told me. He was accused of writing something about guard; think that was the substance of it.

75. What's that fellow's name?

A. Crisp Bowen.

76. How are you fed while in solitary confinement?

A. Get bread and water.

77. That all?

A. That's all except I believe one day each week you get a dinner.

78. Is that what you got?

A. Yes, sir.

79. For thirteen days?

A. Yes, sir.

80. Did you ever find out what they accused you of when they put you in there?

A. No, sir, the real charge I don't know.

81. Well, had you as a matter of fact violated the rules and regulations in any way?

A. No, sir; not more than any other prisoner that had done the same thing that I had done.

82. What did they want you to say about the store?

A. They claimed that there were a lot of tickets being traded. You see they issue tickets the same as script. It seems that these tickets were either traded or given away and other than the rightful owner of the tickets was using them. I was one out of about six hundred in here who was doing it. I would invite some one up here to have coffee, sandwiches or tobacco and if he ran out of tickets or I did I would sell him tickets or buy tickets from him. It seems that Mr. Hopkins was watching me.

83. Is Mr. Hopkins still here?

A. Yes, sir. I told him what I knew about the store and admitted what I knew about it, and told him that others were doing it. After he thought that I had been down there long enough, in solitary, he said that he would suspend punishment and put me in stripes and take away thirty days good time for a period of three months. If I appeared before him in that time. I have done seven years of penal servitude and I was never written up in my life during that time. So he let me out of this hole and I went back to work. I was then connected with the school and am now. I was known as the assistant superintendent to Prof. Morgan. He was kind enough to have tailor made suits made for us teachers and in the spring we got an order for new clothing and turned in our old ones and in the fall the same way with our heavy suits. I had drawn new summer clothing and discarded my old ones into the clothing house; had to turn them in to get new ones. Someone else drew my old pants with the number in them and the number was not canceled and the one that drew them tore the leg from top to bottom and threw them in a box of old rags. A guard discovered them and wrote me up. Mr. Hopkins called me over and there was nothing about it; I lost my time and thirty days with

it; had no chance to explain; went in stripes on Friday and Mr. Bastin got me out on Monday.

84. Did you get your good time back?

A. No, sir; not yet, and I was just as innocent of that as this table. Of course, I am afraid to turn now.

85. Where were you sent from?

A. Louisville, Ky.

86. Been here how long?

A. Thirty-five months the 18th day of this month

87. For how long were you sent?

A. Six years.

88. What was the charge?

A. Forgery, or rather embezzlement; charged with both.

(Questions by Representative Cain, of the Committee.)

89. You say that when they have an altercation or some misunderstanding between two prisoners they are made to fight it out? Is that the rule?

A. Yes, sir.

90. Invariably?

A. Yes, sir.

91. If a big man; that is, a bully of a man, was to impose on a small man, are they supposed to fight it out?

A. They are forced to fight or have to stand punishment in solitary confinement.

92. And you say that this fighting is continued until one of them is knocked out?

A. Until one or the other of them says he has enough.

93. And that is an invariable rule when there is a quarrel comes up regardless of what the quarrel is?

A. It is if they start anything in the shop; the shirt shop—I don't know anything about the shoe shop; I can

only speak from the foundation fight in our shop. If they start quarreling over there they settle it that way.

94. Are you forced to fight it out?

A. Yes, sir.

(Questions by Representtive Bush, of the Committee.)

95. That affords considerable amusement to the guards, don't it?

(Questions by Representative Cain, of the Committee.)

96. Is this a public entertainment for the guards; supposed to be?

A. Well, I have seen as high as five, six or seven go down there to witness it as well as the prisoners.

(Questions by Representative Drury, of the Committee.)

97. Mr. Young, you spoke of this water cure. Did you ever see any man after it had been inflicted on him?

A. Yes, sir.

98. Can you tell the effect on him as you observed?

A. Well, the two parties that showed me their bodies after the water was turned on them just looked as though they had the measles or smallpox; broken out or something; all full of little red spots; looked as though it was blistered or burned.

99. Do they complain of suffering after?

A. Yes, sir.

99. Were they able to go to work right after that?

A. One of them wasn't.

100. Why was he not able to go to work? Do you know of what he complained?

A. He was injured.

101. Where was he injured?

A. In his hip.

102. How was he injured in his hip?

A. It seems this water must have busted him open. He was in the hospital for treatment.

103. For how long?

A. Don't know the exact length of time.

104. Who is that fellow? Is he here?

A. Yes, sir.

105. Tell us who he was?

A. George Murphy.

And further the witness sayeth not

The evidence of George Murphy, taken at the Kentucky State Reformatory, Frankfort, Kentucky, on Friday, February 22, 1924. The witness, being first duly sworn, testified as follows:

(George Murphy.)

(Questions by Chairman Young, of the Committee.)

1. Give the committee your name?

A. George Murphy.

2. What was your former residence?

A. 1646 Story Ave., Louisville, Ky.

3. And how long have you been here?

A. Since June 7, 1922.

4. How long is your sentence for?

A. Ten years.

5. What were you sent for?

A. Housebreaking.

6. Since you have been here have you had—I want to state to you, before you start in to answer these questions that if any punishment of any kind, sort or description is tried to be visited on you for what you testify here to, provided you tell the truth, and that is all that we want, I will guarantee that it will last for but a very little while. In other words, you are protected on this investigation. This is an investigating committee of House and Senate.

I want to know whether since you have been here, there has been any punishment administered to you?

A. Yes, sir.

7. Did you ever take what they call the water cure?

A. Yes, sir.

8. Describe to the committee how the water cure is administered—what is done to you—tell all about it?

A. I was handcuffed to the cell door in solitary and a guard standing about five feet away with ordinary fire hose—as to the pressure, I don't know. I imagine probably 100 to 120 pounds to the square inch pressure—kept the water playing on me until I became unconscious. The water was stopped and I was taken down and taken back to the shop. The next morning I was in rather bad shape. I went to sick cell and the doctor put me to bed. I was in bed twelve days as a result of injuries from the water.

9. Where did it injure you?

A. My arm was badly swollen; both arms all the way from my wrist to my shoulder. There is a place on my side here, you might say a hole literally cut in there. Black and blue over my chest and legs. There is a slight mark left on my side yet.

10. Now, when that water is turned on you, does it hurt you badly or not?

A. Yes, sir.

11. Is it as severe as whipping?

A. I never experienced whipping.

12. Well, from what you know the way a strap would affect you?

A. I believe it would be more severe than the whipping because of the constant application and the constant pain.

13. How long did you suffer from that punishment?

A. A week.

14. Do you know the guard that administered that punishment to you—is he here now?

A. Captain Barnett; he isn't here now.

15. Do you know where he went?

A. No, I don't.

16. What was he punishing you for?

A. Short task.

17. What do you mean by short task?

A. I wasn't able to make the allotted task; allotted amount of work.

18. What were you doing?

A. I was operating a pulling-over machine in the shoe factory.

19. What was the task?

A. Nine hundred pairs of shoes a day. I had subsequent to this been punished a number of times in solitary confinement for short task and bad work. I wasn't able to make the task and would try to work fast enough to make the task and could not do the work properly and would then be put in solitary confinement for short task and bad work. Was in there thirty-seven days one time.

20. While you were in there, what did they feed you?

A. Bread—piece of meat once a week.

21. Did you suffer from hunger while you were in there?

A. No, sir; not after the first few days—got thin and emaciated; went down from 180 pounds to 140 pounds.

(Questions by Representative Drury, of the Committee.)

22. When were you punished by the water cure, as near as you can give the time?

A. Along about the 20th of July, 1923; would not be positive about the date.

23. Were you stripped or did you have your clothing on?

A. My regular clothing was taken off and I put on a thin pair of khaki trousers and shirt.

24. Was the hose applied to your back or breast?

A. My face and breast; could turn sideways a bit; my hands were chained up to the bars about eighteen inches apart; my arms were brought around and chained in front of me.

25. Did he strike you in the face with it?

A. Yes, sir.

26. Now you say your task was nine hundred pairs of shoes to pull over a day?

A. Yes, sir.

27. And you fell short on your task?

A. Yes, sir.

28. How much did you fall short

A. At the time I was punished I was falling short less than 100 pairs.

29. Now was that the contract task or was that the guard task that you fell short on?

A. I don't know whose task it was except that it was a task given me to do.

30. Now, when you are in solitary confinement is the cell dark?

A. No, sir.

31. Just there by yourself?

A. Yes, sir; I might say by myself; each man in a cell. The system of punishment has changed since I have been here. At one time men were stood on a line, standing at attention and holding their hands out in front of them as long as they could stand it for a stretch, and then down at their sides again, and then back again. That was for

forty-five minutes. Then they would be allowed to go into their cells for fifteen minutes. That was afterwards eliminated; this was from 6:30 in the morning until 4 to 4:15 in the evening. I believe since then they have discontinued that and now they handcuff a man to the door from 6:30 until 4 at night.

32. What is in that cell—I mean in the way of furniture?

A. In little solitary there is a wooden bunk and mattress and blanket; in big solitary there is a mattress and blanket on the floor.

33. Concrete floor?

A. Yes, sir—or stone plastered with concrete.

(Questions by Chairman Young, of the Committee.)

34. Have you observed the condition that the cells have been in up until lately around here?

A. Which cells do you mean?

35. The sleeping cells, with reference to bed bugs?

A. Yes, sir; I have observed it.

36. State the condition?

A. I would say there are millions of bed bugs; nearly eat a man up.

37. Well, has that been cleaned up lately; the walls scraped?

A. Not to my knowledge; mine hasn't, at any rate.

38. Has any of them that you know of?

A. I believe some of them have been scraped; scrape their cells themselves.

39. Since when?

A. I believe since a year ago, doing that at night. I understand that more recently though, in the last two or three months, a number of them have been scraping their cells

through orders, but the cells have not been painted, I don't believe.

(Questioned by Representative Cain, of the Committee.)

40. Have you fallen short of your task since that occasion in July?

A. No, sir; I regained twelve or fifteen pounds in flesh while in the hospital and believe that is the principal reason I have not missed my task since then.

41. Have you done any bad work since then?

A. No considerable amount.

42. You have not been punished since?

A. No, sir; no report at all.

(Questions by Chairman Young, of the Committee.)

43. Why didn't you complete the task before that?

A. I was physically unable.

44. What was the matter with you?

A. I was weak and emaciated; from 180 pounds I went down to 145; wasn't physically able.

45. Were you doing the best you could?

A. I told Mr. Bastin and Mr. Hopkins and the guard that I was trying to do my best, but I guess my declaration wasn't convincing.

46. Did you ever buy any help on your task?

A. No, sir; I never had any money to buy with; I was put there after I ran away. Since then I have had no money to pay with; don't get any from the state or from home.

(Questions by Representative Cain, of the Committee.)

47. Did you run away?

A. Yes, sir; am paying $100.00 fine.

(Questions resumed by Chairman Young, of the Committee.)

48. Are prisoners fined for different things?

A. Yes, sir.

49. And is that taken out of money allowed them?

A. Yes, sir.

(Questions by Representative Drury, of the Committee.)

50 .What is the amount of the fine usually?

A. You mean for petty infractions of the rules?

51. Yes, sir.

A. I believe it is usually one and two dollars; stepping on the grass, I believe, is $2.00 fine, and some other things $1.00.

(Questions resumed by Chairman Young, of the Committee.)

52. Do you know of anybody else that had that water cure and was injured by it?

A. No; I know of several that had it but don't know about injury to them; one died that had it.

53. Tell us about it.

A. A negro called "Red" worked in the shoe shop; he told me several times that he didn't think he would live to get over it; said he felt at times that he would become paralyzed, which he did eventually.

54. And did he die?

A. Yes, sir.

55. How long after this water treatment until he died?

A. Some time afterward.

56. But he complained all along that he was injured from that and that his condition was bad?

A. Yes, sir.

57. Was he so paralyzed?

A. I believe he died of a paralytic stroke on the left side.

58. Do you know whether the prisoners here feel any timidity in telling about what has happened?

A. I do.

59. What is the cause of this?

A. Fear of punishment, I imagine. You understand there are so very many ways that things can be made unpleasant for a man without deliberately punishing a man.

60. How could that be done? What are some of them?

A. Well, a man can easily be changed on a job that he can't do; given harder tasks; reported for short tasks and bad work. The task that they have in here—I speak only of the shoe shop and from what I hear of all the shops—the tasks are so high that it is physically impossible for a man to make the task without doing some bad work, unless he becomes an expert. Personally at the present time, I believe I have obtained a greater degree of expertness than any other man in twelve shops, in twelve shoe shops, on the work I am to do, and I still do some bad work.

61. On account of the great number that you have to do?

A. Yes, sir; a man doesn't have time to inspect his work as he goes on. He has to work so fast that it is impossible. If he takes time to inspect it and make absolutely certain of it, he falls short of his task—his number.

62. What time do you go on in the morning?

A. About 6:45.

63. What time do you go off at noon?

A. Twelve o'clock.

64. What time do you go back to work?

A. Immediately after eating.

65. About how long does it take to eat?

A. Takes about forty minutes, I should judge from the time that we knock off until we are back at work. Takes

seven or eight minutes to eat, and getting in line and getting out takes up the rest of the time.

66. Then what time do you quit in the evening?

A. At three-fifty now; three fifty in the winter time and four-ten in the summer.

And further the witness sayeth not.

Also the evidence of Ambrose Lynch, taken at the Kentucky State Reformatory, at Frankfort, Kentucky, on Friday, February 22, 1924. The witness, being first duly sworn, testified as follows:

(Ambrose Lynch)
(Questions by Chairman Young, of the Committee.)

1. Mr. Lynch, this is a committee appointed by the Senate and House of Representatives to investigate the affairs here. I want to assure you that as far as possible, and I think that isn't only possible but very probable, that nobody will be punished for telling the truth, in anyway. If anything of that kind occurs, if you will communicate with any one of this committee, we will certainly come to your relief. We don't want, however, anything except just exactly the truth.

Will you give the committee your name and your former residence?

A. Ambrose Lynch, Irvine, Kentucky.

2. How long have you been here?

A. Two years the first day of this month.

3. How long is your sentence?

A. I have two sentences; one for two years and one for one year; three years in all.

4. What were you sent for?

A. Robbery.

5. What was the judge's name that tried you?

A. Judge Sam Hurst.

6. How long had you lived in Estill county?

A. Been there all my life.

7. Raised there?

A. Yes, sir.

8. Have you been punished since you have been here?

A. Yes, sir.

9. What was the charge against you when you were punished?

A. Well, I have had charges against me for bad work and short task.

10. Well, were you trying to shirk your task or doing your best to finish it?

A. Doing the best I could to finish it.

11. What room are you in?

A. Tying brooms.

12. Had you ever had any experience in that line of work before coming here?

A. Had not.

13. What was your task?

A. Well, when I first started in it was 4 dozen and then they raise you nine a week until you get 7 dozen, and after you get that six a week until you get ten dozen; on different rooms you get different tasks; biggest task is ten dozen.

14. Do you know of anybody paying to get out of their task?

A. Yes, I have seen them buying brooms; I have bought them myself; other fellows would have to make them though unbeknownst to the guard.

15. Why would you buy them?

A. Sometimes a fellow don't feel like making them; have seen fellows buy them that said they could not make them.

16. And that was to dodge punishment for failing to make their task?

A. I suppose so.

17. What sort of punishment was administered to you?

A. Well, was put in solitary confinement and also put in third grade.

18. How long did you stay there?

A. Was there three times; six days one time, seven another and twelve another.

19. What did they feed you?

A. Bread and water.

20. Did you get a dinner once a week?

A. Yes, sir.

21. Well, what other punishment did you get—ever take the water cure?

A. Yes.

22. Well, tell the committee—how many times did you ever take that?

A. Once.

23. Who administered it to you?

A. Captain Atchison.

24. Does he work here now?

A. Yes, I see him around here.

25. Was it Sam Atchison?

A. I don't know his given name; he was down there; I don't know whether he had it done or not, but he was down there.

26. How did they do it? Describe that to the committee; what do they do to you and how do they fit you up to take it and then what do they do?

A. Well, there is a cell there; they put me inside that, hands handcuffed around the bars in front of me to the bars;

don't know whether you would call it around the bars or not, but they would be in front of me.

27. How would they dress you?

A. Put a suit of stripes on me.

28. Then what would they do?

A. Put the water on you.

29. Turn on this fire hose?

A. Suppose that is what they use—some kind of a hose.

30. Well, is that punishment severe or not?

A. Seemed to me like it was pretty severe.

31. How long would they keep that water on you?

A. I don't know exactly how long it was; of course it seemed longer to a man than it naturally was.

32. You could not stand it very long could you?

A. Don't believe so.

33. Have you ever had experience enough with this water pressure to know if you can take it and tear a building down with it?

A. No, I don't know anything about that kind of business.

(Questions by Representative Bush, of the Committee.)

34. You do know what pressure it had on you, don't you?

A. Had pretty good pressure on me.

(Questions by Chairman Young, of the Committee.)

35. Would it break glass in a window if turned on it?

A. I don't know; glass is hard to break sometimes.

36. Well, what effect did it have on you?

A. Had pretty severe effect on me.

37. In what way?

A. Well, it is a bad punishment, is that—hurt awfully bad, is all I can say about it.

38. Did it hurt you worse than striking you with a whip or stick.

A. Well, I don't know whether it hurt worse than that or not.

39. Did you make any outcry over it?

A. Yes, sir.

40. In what way?

A. I "hollered."

41. Why did you "holler?"

A. Because it hurt me.

42. How did it leave your skin and body?

A. Well, it left my body in pretty fair shape; made kind of blue spots on my side.

43. Did you suffer any other ill effects from it?

A. No, sir; not that I know of.

44. Do you know anything about fellows, prisoners who get into any difficulty with each other as to whether they are taken to a cellhouse and compelled to fight.

A. Yes.

45. Tell about that.

A. I have never been in no fights myself; am glad I haven't. Sometimes they take them to the cellhouse and let them fight it out. I never paid no attention to it myself.

46. Did you ever see them after they had those fights?

A. Yes, sir; I have saw them.

48. See them with any bruised places or marks of any sort?

A. Yes, sir.

49. Did you ever hear anybody else cry out from that punishment by being so punished "holler," cry out or moan?

A. No, only when I had that water put on me; that was the only time I was ever down there; that was the only "hollering" ever I heard about; anything like that.

50. How many cells have they got here for solitary confinement, do you know?

A. I think there is something like nineteen in little solitary; at all events—have two solitaries, big and little.

51. Do you know anything about the condition of the beds and bedding with reference to bed bugs and filth of that kind?

A. No bed bugs in solitary.

52. I mean in the other cells.

A. Yes, sir; they bother me quite a bit, and all the rest of the men.

53. Did you ever see any guard here use any clubs or anything of that kind on any of the prisoners?

A. No, sir.

54. Ever hear them curse the prisoners?

A. No, sir.

And further the witness sayeth not.

The evidence of Hugh Bruner, given at the Kentucky State Reformatory, Frankfort, Ky., on Friday, February 22, 1924. The witness, being first duly sworn, testified as follows:

(Hugh Bruner)

(Questions by Chairman Young, of the Committee.)

1. I want to tell you that some of the prisoners who have testified here seem to be laboring under some impression that they will be punished if they testify. All the committee wants is for you to tell the truth, and we want to assure you that you are not going to be punished for it in any way; that is exactly correct, and if any punishment is

attempted, if you will let the Governor know, I am satisfied that it will not last for but a mightly little while.

Give the committee your name and your former address, that is, where you lived?

A. Hugh Bruner; Catlettsburg, Ky.

2. What were you sent here for?

A. Receiving stolen goods; they said that was the charge.

3. How long have you been here?

A. Been here nearly three years.

4. How long were you sent for?

A. Four years.

5. Since you have been here has there been any punishment of any kind inflicted on you?

A. Certainly has, sir.

6 Have you ever had what they call the water cure?

A. Yes, sir; I have.

7. How many times?

A. Just one time, but the water was put on me twice.

8. Will you state to the committee how you were prepared with reference to dress before you took it?

A. I had a suit of stripes on, and I had my wife's ring on my right hand. I was handcuffed up to the door, and they turned the water on me and washed that ring off my hand and it went down the sewer or some place; anyhow I never found it again.

I come over here before I was punished and asked to go to the hospital. When I went there the doctor over there, not Dr. Romele—Dr. Evans I believe it was, looked at me, and I was being treated for gonorrhea at the time; had a slight touch of it, and he give me a dose of medicine that morning for my bowels. I told him "my testacles are all swollen up so bad; big as my fist, and I ain't able to work today." He

said, "Go on back to the shop. You will be all right tonight." And they came over to punish me that day. I told him then I was sick and would have to be treated. He asked me what was the matter. I said, "I went to the doctor and he would not give me any treatment." I started to show him, and he said, "No, the doctor is there for that, and I don't want to see it."

9. Who was this?

A. Mr. Hopkins.

10. Did he punish you in that condition?

A. Yes, sir; I had been cut in the side here; operated on, and I was handcuffed up to the door. I told him that I wasn't in condition to stand that 180 pound pressure of water. I told him to look at my side before he had this water put on me and he said, "Damn your side; God damn your side," is what he said.

11. Describe how you were handcuffed?

A. Right this way, one hand up and one down (indicating one arm raised at an angle of about 45 degrees, and the other lowered in the opposite direction.)

12. To the door?

A. Yes, and I could not get away.

13. Was that very painful, when they turned that water on you?

A. Naturally a man could not hardly get away, only turn a little to one side, and with my testacles all swollen up, big as your fist, of course it hurt. He would not let me show him about them.

14. Did it injure you in any other way?

A. Don't know that it did. I did the best I could. I had taken a dose of medicine and had been going to the toilet. Any how, I had a passage two or three times that morning. The guard come in and I fell over on him like I had been working on a bull brush. He asked me what was

the matter. The foreman said, "Get that man and make him go to work." So I told him to take me to the hospital. He said, "No, I will take you over the front." That was the first time that I had ever had any trouble. I had run away and they thought I was bad. I have not been wrote up since then for over two years.

15. What I want to know is, was this water when turned on very painful to you?

A. Yes, sir; my side from here down to here (indicating about a foot up and down his waist) was black and blue, and my hands and arms swollen up this big (indicating). I worked with four or five days that way; did not go to the hospital; knowed if I did I could not get nothing done.

16. You were really sick, were you?

A. Yes, that was the first time I ever went to the hospital since I have been here and got a dose of vaccine or anything or that sort.

17. Do you know anything about any of the guards striking any of the prisoners with clubs?

A. Well, now, since I have been in my shop there hasn't anything like that happened in my shop that I know of, that I can say. So far as the others are concerned, I have heard something like that but I don't know about it. I am over in six shoe shop, and what goes on over in the shipping department and the shirt shop and other places I don't know anything about it except just what I hear; only know what was done to me myself; that's all.

18. Did you cry out when that water was turned on you with that hose?

A. Well, I don't know; guess you would have; certainly did cry. I can stand pretty good punishment as far as that goes, I think, but that is something I never did have before; 180 pounds pressure of water turned on me. I didn't see who turned it on.

19. They use that fire hose over there, don't they?

A. Yes, sir; reduced down to this size (indicating about two inches in diameter for the stream of water that he meant).

(Questions by Representative Drury, of the Committee.)

20. How long ago was that that you were punished?

A. About eighteen months ago.

21. How long had you been in the prison up to that time?

A. Seven or eight months, I suppose.

22. Ever punished before that?

A. The first time and the only time.

23. Had you ever been reported for any lack of duty or anything before that?

A. Not a thing; not even about my work in any way, shape or form.

24. Not a bad mark against you?

A. Only that runaway charge. I am now under punishment for that; have another year for that charge. We are allowed a dime a day and that has been taken away from me for the last two and a half years.

25. How long were you away?

A. Forty-five days.

26. Where did they catch you?

A. Knoxville, Tennessee.

27. And when you came back were you punished for that?

A. Put in stripes, my pay taken away and they also took the year away from me. I was taken before the parole board and put back.

And further the witness sayeth not.

The evidence of Chester Phelps, taken at the Kentucky State Reformatory, Frankfort, Kentucky, on Friday, Feb-

ruary 22nd, 1924. The witness, being first duly sworn, testified as follows:

(Chester Phelps)
(Questions by Chairman Young, of the Committee.)

1. I want to tell you before we start in to examine you that some prisoners seem to fear of some punishment or something being visited upon them on account of their testimony here. Now, I want to tell you, to assure you that nothing of that kind is being done in your case, and that we want the truth; all we want is the truth, and as long as you are telling the truth here, why, you will be protected.

A. The truth is all that I will tell, sir.

2. Is your name Chester Phelps?

A. Yes, sir.

3. How long have you been here?

A. Three years the 5th of December.

4. Where was you sent from?

A. Knox county.

5. What was the charge against you?

A. Murder.

6. How long was you sent for?

A. For life.

7. Have you ever been a nurse in the hospital here?

A. Yes, sir.

8. How long did you serve as a nurse there?

A. A little better than two years; something like that.

9. Do you know about what they call the water cure; know what that is?

A. Yes, sir.

10. While you were a nurse in the hospital there, did you have an opportunity to, or did you observe any of the

men that had been treated with what they call the water cure?

A. Yes, sir; one came up there while I was there, I believe.

11. Were there any wounds on him?

A. No, sir.

12. What condition was he in?

A. Well, to look at the man, of course, he was in a nervous condition and he claimed to be very sore; could not tell by looking at him. He was a colored man.

13. How long did he complain of that?

A. He went right on back to work.

14. How come him to be at the hospital?

A. I don't know, sir. He wanted some liniment for his arm, I guess.

15. For what purpose?

A. He claimed he was sore from the water.

16. Did you ever see anybody else that was given the water cure?

A. Oh, yes; didn't see them treated; they said they were.

17. Where is that negro; here now?

A. I could not say. That has been some time; probably gone out.

18. Did you ever have men brought into the hospital there where their case was diagnosed as pneumonia from having been treated with this water cure?

A. Not that I know of.

19. Were you in the hospital when a man died here from paralysis?

A. Yes, sir; I remember the case; was some time after I went out; not so very long ago. I have been thinking about it.

20. Now what ill effects have you seen; go ahead and tell it, from this water cure?

A. I am telling you, sir, to my knowledge, all I have seen; all that I recall.

21. You never helped dress any wounds caused by this water cure, have you?

A. Not to my knowledge. I have dressed so many wounds up there that I could not say; was up there two and a half years.

22. Did you dress any wounds up there where the parties claimed that the water cure caused it?

A. I could not say; been so many different causes that I can't say; can't think of all of them. I could not testify to that positively.

And further the witness sayeth not.

Also the evidence of Marion Rader, taken at the Kentucky State Reformatory, Frankfort, Kentucky, on Friday, February 22nd, 1924. The witness, being first duly sworn, testified as follows:

(Marion Rader)

(Questions by Chairman Young, of the Committee.)

1. Mr. Rader, we are sending for some prisoners and asking them to come here—this is an investigating committee appointed by the Senate and House of Representatives to investigate conditions here, and we are trying to find out truthfully just what is done and what is not done. Now, some prisoners have expressed a fear that they might be punished by virtue of the testimony they might give here. We want to assure you that that won't be done. We have the assurance of men that we know are truthful that that will not happen, and if it should, if you will let me know about it—I am going to make you a visit after this session of the legislature is over, because I am going to be in another one, if I am living, so there will be no trouble about you getting word.

I want you to know that you will not be bothered about what you are going to tell here, and I want you to tell the truth.

Is your name Marion Rader?

A. Yes, sir.

2. Where were you sent from?

A. Irvine, Estill county.

3. How long ago?

A. October 31st, 1921.

4. Have you ever worked in the hospital here?

A. Yes, sir.

5. How long and how much?

A. Nine months, I believe.

6. Do you know about what they term the water cure here; know about that?

A. I know of it is all.

7. Have you ever seen or had an opportunity to observe any persons brought to the hospital who are suffering from that water cure or claimed that they were?

A. No, sir; I have not.

8. Do you know anything about anybody being punished with that?

A. Nothing only general prison talk; don't know about it personally.

9. What were you sent for?

A. Murder, manslaughter.

10. For how long?

A. Twelve years.

And further the witness sayeth not.

Also the evidence of Fields Etherton, taken at the Kentucky State Reformatory, Frankfort, Kentucky, on Friday, February 22nd, 1924. The witness being duly sworn, testified as follows:

(Fields Etherton)

(Questions by Chairman Young, of the Committee.)

1. Fields, this is an investigating committee appointed by the House and Senate to investigate the conditions here, and I will tell you that some of the prisoners seem to fear that they will be punished for their testimony here; I want to tell you that that will not happen.

A. Gentlemen, what I am going to tell you will be only the truth, and I don't care who hears it.

2. What is your name?

A. Fields Etherton.

3. How long have you been here?

A. Five years the 13th of the coming May.

4. How long were you sent for?

A. For life.

5. What is your age?

A. Sixty-four in August.

6. Where you sent from?

A. Frankfort, out here.

7. Did you know a guard by the name of Hardy that they had here?

A. Yes, sir; I knowed him; knowed him for about four years.

8. Is he here now?

A. Yes, sir.

9. I will ask you, Fields, if this fellow Hardy abused you or hit you with a club or kicked you in the seat; tell the whole thing?

A. I have been here five years and have never been reported until last summer. I am runner for the whole sixteen shoe shops, and have to be responsible for everything I handle. I had $375.00 worth of coupons in my charge; something like that (showing a book of coupons such as are issued to the prisoner) the book that the prisoners use. I

had them down in my shop; down there in the window; had just drawed them out of the office to deliver them to the men; had them lined up in the window counting them. Captain Hardy, he was in five shop and he called me. I said, "All right; I have my tickets out here and can't leave them at present," I said. "Wait until I get these in the basket; can't leave them this way; I am responsible for them." I stayed there until I got them all back into the basket. Then I went to where he was and I said to him, "Captain, I have to be responsible for all this stuff. I will be punished if I lose any of it." That didn't satisfy him. I said, "If I deserve anything, take me to the warden." I started to step down the first step; had the basket in front of me; he stepped up and kicked me in the small of the back. There were five steps to the bottom, and if I had not made a whole step of three feet down to the bottom, my head would have hit a brick wall there.

10. Did that hurt you?

A. I ain't got over it yet; I can feel it yet. I toughed it out for a while; then I wrote the Colonel that I wanted an interview and he sent for me. The Colonel was sitting at the table like this (indicating) and Col. Hopkins walked in. He said to Col. Hopkins, "Investigate this matter and if he was in fault, put him in solitary." Col. Hopkins said, "He was in fault; I know all about it." I commenced to try to tell Mr. Bastin all about it and Mr. Hopkins said, "That ain't so," and I knew that if I kept on I would be punished, so I got up and walked out. That was the end of it. I toughed it out until supper that night; I eat a little bit when I aimed to get up seemed like I was paralyzed in my legs; they had to carry me to the hospital. I laid there for eleven days from that kick. Well, I got out and have been back in the shop ever since.

11. How long ago was that?

A. Last summer.

12. Where is Hardy now, do you know?

A. In No. 12. I want to say to you about that man that he is like a roaring lion.

13. How big is he?

A. He is a man that will weigh 225 pounds.

14. How much do you weigh?

A. I weigh about 109 now.

15. What age man is this guard, about?

A. I guess he must be forty; something like that; something near that.

16. Have you ever seen any of the guards in here carrying pistods?

A. No, sir; not lately I haven't; but I would like to say that they carry sumething that is worse than pistols.

17. What's that?

A. Black jacks; these clubs.

18. Ever see anybody hit with those clubs?

A. Yes, sir.

19. Who?

A. Seen Hardy knock two men down in No. 12.

20. What for?

A. I don't know.

21. Did the fellow try to fight him?

A. No, sir.

22. I would.

A. He ought to under the circumstances; wasn't nothing but assault, that was all you could call it.

23. Did you ever hear any of the men crying out or moaning from that water cure?

A. I have seen men around here as black as that hat (indicating black hat on the table) about twelve inches around their waist from that water; that is the truth, Colonel. I guess knows all about that; 150 pound pressure put on a naked man is awfully hard on him.

24. Have you ever been where you could hear his hollor?

A. Yes, sir; have been in the cellhouse and have heard them beg for mercy; say "Oh, Lord!" but there was no mercy there for them.

25. What is the condition of your health now?

A. I have got asthma and catarrh of the lungs.

26. Were you as feeble as you are now when this kicking was done?

A. Oh, yes; have been that way for 20 years.

27. You are really a delicate man?

A. Yes, sir; I am a delicate man.

28. What were you sent here for?

A. Killing a fellow.

(Questions by Representative Cain, of the Committee.)

29. Why did that man kick you?

A. Because I didn't leave these tickets in the window at once and go to him. I was responsible for these tickets, and if I had lost any of them I would have had to pay for them. I neglected to tell you one thing about Mr. Hopkins and Captain Cannon. He came through the shop and he got after me about Hardy kicking me down the steps. I told him, "That man is mistreating me," he said, "I am going to put you into the caneing room." I said, "Put me back there; I would rather be any place but here." Then he hauled off and slapped my glasses off my face.

30. Who was that?

A. Captain Cannon; Captain Lail will tell you the same thing; he was there.

And further the witness sayeth not.

Also the evidence of Harlan Bryant, taken at the Kentucky State Reformatory, Frankfort, Kentucky, on Friday,

February 22nd, 1924. The witness, first being duly sworn, testified as follows:

(Harlan Bryant)

(Questions by Chairman Young, of the Committee.)

1. Mr. Bryant, this is a committee appointed by the Senate and House of Representatives to investigate the affairs here. I want to assure you that as far as possible, and I think that is not only possible but very probable, that nobody will be punished for telling the truth, in any way. If anything of that kind occurs, if you will communicate with any one of this committee we will certainly come to your relief. We don't want, however, anything except just exactely the truth.

Give the committee your name?

A. Harlan Bryant.

2. Did you know Hillard Anderson?

A. Yes, sir, I knew him.

3. Did you have a talk with him shortly before—he is dead, isn't he?

A. Yes, sir.

4. Did you have a talk with him shortly before his death?

A. No, sir.

5. Didn't he say anything to you before that?

A. No, sir; I never knew he was sick until he was really bad off and I went up there and he was too bad off for me to talk to him .

6. What did they think was the matter with him?

A. I heard he died with the pneumonia fever.

7. Did you learn that he had been given the water cure?

A. I heard that.

8. And he died there is the hospital?

A. Yes, sir; he died five or six days after he had the water cure, after he went into the hospital.

9. He was a young white boy, wasn't he?

A. Yes, sir; looked to be about 18.

10. When did he die?

A. Twenty-second day of last April, I think; I am not sure about that; have got it wrote down in my Testament in my cell.

11. You say you have it written down in your testament that you have in your cell?

A. Yes, sir.

12. Didn't he die about April 9th?

A. Yes, sir; right close to that time.

13. Where were you sent from?

A. Pike county.

14. How long have you been here?

A. Five years and a month.

15. Have you ever been in a position where you could hear anybody while they were giving them the water cure, and could hear their cries and their moans?

A. No, sir; but I seed them after the water was put on them.

16. What was their appearance?

A. Pretty bad.

17. Would their bodies be bruised?

A. Yes, sir; seed one colored fellow; he was knocked off for about a week; shoved water in his face and in his eyes. Eyes were swelled up until he could not see out of them. Was taken to the hospital for about a week.

18. How long were you sent for?

A. Nine years.

19. And you have been here for how long?

A. Five years and a month or two.

20. What were you sent here for?

A. Shooting; shot a couple of fellows.

21. Did you kill them?

A. No, sir; didn't kill either one of them.

22. Do you know anything else about things around here in any way?

A. I was out on the road most all the time. I can tell you all about the roads, as far as that part of it is concerned. I can tell you all about the roads as far as that particular part of it is concerned.

23. You mean you worked in the road camp?

A. Yes, sir; for two years before I run off.

24. And that kind of lengthened your time?

A. Yes, sir; give men 301 days and fined me $118.

25. So that fine is taken from the money that you earn here?

A. Yes, sir.

26. Who does the fining?

A. Mr. Hopkins and Mr. Cannon. Mr. Bastin told me the board put this fine against me of $118 for running off; but anything inside the walls Mr. Hopkins puts the fines.

27. How much money have you drawn since you have been here?

A. I don't guess over $5.00.

28. Do you know how much you have coming to you now?

A. I know how much I have got paid on that fine.

29. How much?

A. Between $60 and $70.

30. How long ago was it that the fine was put against you?

A. Two years ago.

31. Are you married?

A. No, sir.

32. Is your father living?

A. Got a letter from my brother the other day saying that he heard he was dead; didn't know for sure if he was.

33. Is your mother living?

A. Yes, sir.

34. Are your people poor?

A. Yes, sir; broke up. I own a little piece of land in Letcher county. They burned my house and burned two houses for my father; burned three in all.

(Questions by Representative Drury, of the Committee.)

35. Who did?

A. These guys that sent me down here—Samuel Vanover was one of them.

36. You say you escaed from the road camp?

A. How is it that they could put an escape charge against me when I was eight miles from the camp and the guards took me there and they bought the whisky?

37. Who were they?

A. Bill Davis, fellow named Swinford, and Bill Owens.

38. And they took you eight miles from the camp and bought whisky?

A. Yes, sir.

39. What were you made to do?

A. They taken us to a place called Red Hill. They bought three or four gallons of whisky and lined us up. Mr. Davis said that would be the last Sunday we would be out; said, "Iwant to show you boys a good time today; want

you to line up two by two and go into this man's house and get your whisky, and the first man that tells it we are going to kill him." We all lined up. Mr. Davis sold me his pistol, a 45 Colt. I gave him $25.00 in cash for it. We got the whisky and started back and Mr. Davis and Swinford fell out.

40. All drunk?

A. Yes, sir; all drunk or drinking.

41. Did you drink with them?

A. Yes, sir; but didn't get drunk. They fell out and Mr. Davis tried to get his pistol and Mr. Owens caught him. We went on in three squads and Mr. Davis got to thinking about the matter again and he said another word or two and jerked his pistol out again, and then us boys grabbed him and kept him from shooting us with it. I said, "Trouble is going to come up and the best thing we can do is to stop off to one side—go on in or on home and get out of this mess. There were seven run off that day. It was then reported to me that afterwards the guards and the prisoners got in a fight and stuck one of the Baker boys in the side with a knife. This was reported to me after I had done gone. Mr. Owens went on up to the house and got his gun and said he was going to kill the first convict that passed up the road that evening.

(Questions by Representative Bush, of the Committee.)

42. Where were you at?

A. Rockcastle Camp—road camp; the first summer was in Henry county for awhile; stayed up in Rockcastle two years, about.

(Questions by Representative Drury, of the Committee.)

43. Are either of those guards here now?

A. No, sir; they were fired after I left.

(Questions resumed by Chairman Young, of the Committee.)

44. You say only seven got away that day?

A. Yes, sir.

45. Were the guards drunk?

A. Yes, sir; as much as the prisoners were.

46. When was that?

A. Fifteenth of October, 1921, I believe it was.

47. How long were you away before they caught you?

A. Close to three months.

48. Well, is there anything else that you know about that you want to tell?

A. No, sir. But he sold that gun to me.

49. How come him to sell it to you and you a convict?

A. They told us that day that they knowed us boys were going to go home; my brother knows that. I had the gun with me in West Virginia. I named it to Mr. Green that I didn't run off without some cause. I named the gun to him. He said, "I want that." I said, "You can get it." He taken me to jail and I told my sweetheart, who came up to see me, that she could keep it or sell it. She wrote me about the gun but it was rubbed out in the letter when I got it here at the prison. I wrote my father about it in a way that they would not catch on, and he wrote me that this girl sold it for $30.00.

And further the witness sayeth not.

Also the evidence of Hal Jordon, taken at the Kentucky State Reformatory, Frankfort, Ky., on Friday, February 22, 1924. The witness, being first duly sworn, testified as follows:

(Hal Jordon)

(Questions by Chairman Young, of the Committee.)

1. Now, Hal, this is an investigating committee appoint-

ed to come down here and find out how things are as near as we can, and we have assurances that you will not be molested or bothered or punished for telling the truth down here; that is what we want.

What is you name?

A. Hal Jordon.

2. How long have you been here?

A. About 23 months.

3. Where were you from?

A. Spencer county.

4. How long were you sent for the first time?

A. Five years.

5. What did they send you for?

A. Forgery.

6. Can you write?

A. Yes, sir.

7. Did you know a colored fellow by the name of Powell?

A. Yes, sir.

8. Were you ever made by Mr. Hopkins or people working with him or under him to fight this fellow Powell?

A. Yes, sir.

9. Where was this fight?

A. Out in the cellhouse.

10. What size fellow was Powell?

A. Oh, he was larger than I was.

11. How long did you fight?

A. I don't know; fought right smart while.

12. Who was present when the fight was going on; any of the guards?

A. Yes, sir.

13. How much did you fight? Was either one of you hurt in the fight any?

A. Oh, I got beat up right smart; got a bone broke in my hand.

14. Were the guards tickled at it?

A. Got a good deal of fun out of it.

15. Well, how did they act; laught at it?

A. They thought it was sport, I guess.

16. They made you go in there and fight, didn't they?

A. Yes, sir.

17. After they made you go in and fight this fellow, you afterwards killed him, didn't you?

A. Yes, sir.

18. Well, didn't that killing come up over this fight; wasn't that really the cause of it.

A. After that he always picked on me; always wanted to fight me like that, and I thought he was going to kill me with a pair of shears.

19. You were tried for that, were you not?

A. Yes, sir.

20. And got life?

A. Yes, sir.

(Questions by Representative Drury, of the Committee.)

21. What did you kill him with?

A. A knife.

And further the witness sayeth not.

Also the evidence of H. V. Bastin, taken at the Kentucky State Reformatory, Frankfort, Ky., on Friday, February 22, 1924. The witness, being first duly sworn, testified as follows:

(H. V. Bastin)

(Questions by Chairman Young, of the Committee.)

1. Mr. Bastin, will you please state your full name and the position you hold?

A. H. V. Bastin, superintendent Kentucky State Reformatory.

2. And your place of address before you came here?

A. Lancaster, Ky., Garrard county.

3. Who is you assistant?

A. G. C. Hopkins.

4. Where does he come from?

A. He came here from Connecticut: was originally from Clinton county, Ky.; came here from the Weathersfield State Penitentiary, in Connecticut. Previous to that time he was at the federal prison on McNeal Island; prior to that time he was at Leavenworth, Kan., federal prison; prior to that he was in the army.

5. Mr. Bastin, you have been present during the examination of the witnesses today and heard what they said and what they testified to?

A Yes, sir.

6 Now, if there is any statement or explanation that you desire to make about any of the matters about which any of the witnesses testified, you may do so.

A. Now, with reference to striking prisoners, it is against the rules to strike a pisoner except in defense of one's self or some one else. It is absolutely against the rules to carry guns in the institution when the prisoners are not locked up and when they are on the yard. It is against the rules to curse a prisoner and to abuse him. And if I know those things and can be assured that they are true, I simply discharge the guard. Now, of course there are times when it is the testimony of a guard against a prisoner, and in that case where a man has been faithful as a guard, I must take the word of the guard as against that of the prisoner. If I didn't you can see how certain few prisoners could keep the guards on the move all the time.

7. With reference to the fighting in the cellhouse, my regulation on that is that if two men have a personal difficulty and they want to settle it that way, both must be willing; both must agree to it. If they are not evenly matched it is never suggested, and if they don't both agree to it, it is not done. If they both agree, then they fight, and when the first man "hollers" enough it is done and they are required to shake hands, and that is all there is to it.

The truth in this Hal Jordon case was a female man; jealousy between two men over another man is more intense ordinarily than over another woman, and it is one source of a great deal of trouble in this institution.

With reference to the water, it is true that we used water, I presume for a period of eighteen months. There are times arise when you don't know what to do. I would like to read from the record in this Murphy case to be sure that my mind don't fail me. When Murphy was first put in here he was assigned to the shoe shop. The foreman discovered in talking to him that he was a machinist. The record he brought here with him was such that we could not let him stay in the machine shop, because he was a second-timer, from Kansas, and we didn't know who his people were and he was the type of man that was calculated to escape. He was taken out of the machine shop and put in No. 15. He rather liked the work up there but grumbled continually on account of not being allowed to work at his trade. Later on he was moved to No. 12. He didn't apply himself at all. After repeated reports commencing June 26, 1922—I want to show you what led up to ordering his punishment—June 26, 1922, he was reported for having money and a knife blade in possession and given 69½ hours in solitary. The length of time a man stays in solitary depends on his mental attitude as expressed in his face and language. On July 26th he was impudent to a guard, at which time he stayed in solitary 48½ days and was put in third grade. Two months following, on the 26th of September, he was reported for

lying; he was continued in third grade but was not put in solitary then. On October 2nd he was reported for smoking in line while in third grade; simply lost one of those privileges that hurt; this time he spent 47½ hours in solitary. On the 14th day of October his attitude had come around, he was taken out of third degree and punishment suspended. He went good until January 4th, when he escaped from the walls, but was brought back in about fifty minutes. Then on February 13, February 26, March 26, March 5, April 25, May 3rd, May 19th and June 26th, on each of these dates there was a report against him for bad work; not keeping up his work; things of that kind. On June 26th he was put in solitary and he stayed there 864 hours. That would be about 36 days. That is an extremely long time for a man to be in solitary. He was released but was sullen; evidently didn't have a sweet atmosphere about him at all, and the following July 24th again was brought over, and my recollection now is that the superintendent of the shoe shop, Mr. Snyder, said that we would have to take that man off their hands; that he was an agitator and that his work was bad; that we would have to do something to change him.

He was the last man we gave the water. Frankly I do not like at all the idea of corporal punishment, and the water cure was always a thorn in my flesh. But in his case it worked better than I ever dreamed it would have done.

8. As a matter of fact, Mr. Bastin, that water punishment is a very severe punishment, isn't it?

A. It is; no question about that. Here's the biggest trouble about the water punishment; if I knew that the guard who administered it would do it properly or I could always be there and know that it was not given improperly or excessively, there might be a real reason for continuing the water treatment or anything else to bring about the desired results; but I am convinced from my experience with it on the whole that there are more objections to it than for it. But

if it were known inside that it had been abolished certain fellows would give us trouble. I took it up with the board and the board discussed the matter and they ordered it stopped, and I think they are quite right, because there is no superintendent who can always be in such intimate contact as to know just how much is being given, and guards are like prisoners—they are all human beings, and there is more vindictiveness in some of us than there is in others.

9. In other words, there are some men that you can't give authority to?

A. That is exactly right.

10. Now you heard the testimony of a prisoner by the name of Young with reference to the giving of some cigars and other things to Mr. Hopkins. Isn't it a fact that they also sent you some and that you sent them back?

A. The Reliance Manufacturing Co. sent me a big box of something. I didn't open it. I called the superintendent, Mr. Van Liew, and told him I didn't believe it was sent to either embarrass or influence me, but that I would like for him to take it off my hands, which he did. I don't know whether Hr. Hopkins got a box or not. But I do know that it is absolutely against the rules for a guard or officer here to receive presents from any source, either a prisoner, contractor or anybody else.

11. Mr. Bastin, isn't it a fact that Mr. Hopkins is a man that drinks sometimes?

A. Yes, sir; Mr. Hopkins is a man that drinks.

12. Hasn't he been drunk here on duty a time or two, and wasn't he drunk on last Christmas day, and didn't Prof. Morgan and Chaplain Hoffman report to you that Hopkins was in the women's yard drunk and that he had one or more of the women prisoners shimmying for him?

A. That was reported and should not have been the case. The matron didn't back it up. It was absolutely uncalled for. Our book of rules has never provided anything

about drinking. I asked the board—following this drinking I gave Hopkins the most severe reprimand that I ever gave without firing him—I say I asked the board then to make it the rule that any man or officer who took a drink while on duty or come to work with a drink on his breath should be discharged. I told Mr. Hopkins, "One more drink and you are gone; you are a good prison man, but we cannot have drinking here.

13. Is it a fact that he was in there and had those women shimmying?

A. The point was this: the band in charge of the chaplain went over to play for the women. I asked the matron about the shimmying, and she would not have backed that up. Possibly there are some negro women there that would have shimmied for him.

14. As a matter of fact, didn't Prof. Morgan and Chaplain Hoffman make that report to you?

A. Didn't say he was drunk, but did say he was drinking.

15. Did you have it reported to you that a guard by the name of Jones was on the yard on Christmas day, or about Christmas, with his pistol out in his hand, and Hopkins and Ficklin asked him to go into the toilet and stay out of sight so that nobody would know that he was drunk? Did you have any report of that kind?

A. No, sir.

16. And if that occurred you don't know anything about it?

A. No, sir; have no report on it at all; was out of town that day; at Lancaster.

17. Now, one of the witnesses testified with reference to the guards being drunk and seven of them; seven of the prisoners, escaping up in Rockcastle county. Did you have an investigation about that?

A. Yes, sir; and the county attorney up there assisted in it.

18. What did you find out?

A. I found out that it was on Sunday and the three guards who had the prisoners in charge that day took them chestnut hunting presumably. Any way, they all got drunk and eight prisoners—it was eight instead of seven, as he said—escaped, and the ones that came back did so voluntarily. The three guards that were in charge were fired and I tried to get an indictment against them but could not; could not find anything in the Statutes to cover it.

19. Did you learn in that investigation that one of the guards had sold to one of the prisoners at 45 Colt pistol?

A. Yes, sir; but it wasn't state property.

20. Is there anything else that you think of?

A. No; those are the points that seemed to be more or less one-sided.

(Chairman Young.)

I want you to understand that we are not after you, or after anybody in particular, except where the evidence shows that they are incompetent men.

(Superintendent Bastin.)

I feel like you people are not only acting within your duties but absolutely proper and right.

21. What about the cursing?

A. In the case of Etherton it was Hardy's word against Etherton's. If I could have been reasonably sure that the guard had struck him or cursed him, I would have fired him quicker than you can talk about it.

2. Did he show any wound or anything?

A. No; this is the first I heard of a wound.

23. Did you examine to see if he was kicked?

A. No; I am quite sure I didn't.

(Questions by Senator Clark, of the Committee.)

24. How many guards have you?

A. The whole force at the present time I think is 81. I can give you to the total in just a minute, if you want it, from the records. It is true that we have a few more guards than we had a few years ago, and on this account: the board is trying to eliminate the doubling in cells and has purchased an additional piece of ground on the southeast corner and is going to build a broom shop out there and an addition to the chair shop. By getting out in the stockade where there is no stone wall around we have to use a little larger force of guards than inside here. Then in the broom shop and chair shop there are five altogether where we used to have three. Another thing, since the Eddyville trouble we have put a guard where he can observe the stockade at night; have two on duty—one the first half and one the last half, because it is a very trying place. I always felt more or less apprehension about the men in the shirt shop, broom shop or any of the buildings in the stockade. A prisoner might arrange for some one on the outside to bring in pistols or knives or saws or files and hide them in predetermined places; for instance, a discharged prisoner. We never had a guard out there prior to the Eddyville trouble, but immediately after that I asked permission of the board to put two additional men out there; thought it was necessary; so that is why it was done. Of course that is like locking the barn after the horse is gone.

(Chairman Young.)

Yes, but there might be another good horse in there.

(Questions by Representative Cain, of the Committee.)

25. Do the prisoners who claim they are treated inhumanely have any way to reach you with their complaint?

A. Every Sunday afternoon, when I am in town, is known as prisoners' interview, from two to four. Prisoners

can get blanks from the chaplain's office and write to me. I call them over to the office and they have an opportunity to come in and detail all of their affairs or complaints.

26. This man Etherton testified that he did come to you with this complaint.

A. My recollection with reference to that is that he came over here and I don't remember the details of it now. Said possibly that the thing that was worrying him was the abuse sunk deeper than the kick; I can't remember about that now.

27. He testified that he started to tell you about it, that you told Hopkins to investigate it and put him in solitary if he was in the wrong, and that when he tried to talk to you Hopkins said, "Shut up and come on."

A. My recollection is that Etherton told me about it, Hopkins not being involved in the complaint at all, and that Hopkins came in and I told him to investigate it, and that he said there was no use doing it; said this fellow was hard-headed and wanted to do everything his way; that Hardy had denied kicking or hitting him but had bawled him out because he would not obey. I remember the old man's explanation about the tickets. Hardy's contention was that when he wanted to take his own time and have his own way and that that was the way the difficulty arose.

28. But that didn't justify kicking him?

A. Absolutely not, and if I had had convincing evidence that it was true I would have fired him. These men are here in our power and helpless.

29. The impression I got from Etherton's testimony was that he didn't get a chance; didn't get a fair hearing before you?

A. That is possible. I know I am not perfect and any system sometimes—

(Questions by Representative Drury, of the Committee.)

30. You remember this man Young said that Mr. Hopkins came to his cell and cursed him and called him a s— of a b—, and that he put him in solitary on Friday and on Monday you took him out? Why was that?

A. Young has been a good prisoner and the past and the proper attitude in each case determines how long a man stays in solitary or in third grade. Young has been a very useful man in connection with the school; has been willing to work and has assisted in the school. He has had a good influence among the prisoners but he is a little bit intolerant. The assistant superintendent is like a top sergeant in the army—the captain passes a lot of stuff on to him to take care of, and so it is here. If he is inclined to go too far, it is a serious proposition. If he is too soft, the prisoners will run the institution for him; that is all there is to it. And I am quite sure that at times most any disciplinary officer will be too severe; and I realize that it is my duty to keep posted on these things and to prevent any undue severity.

31. What happens to a man if he escapes and is brought back?

A. If a man escapes and is returned a fine is placed against him; against his compensation paid to him by the state, to cover the cost of the return, the reward and the other expenses of returning him to the institution.

32. And that goes to the state?

A. Yes, back to the state; is simply deducted from the total pay-roll and the net amount paid to us. Then the prisoner is indicted the following term of the circuit court by the grand jury, and it is then a matter for the circuit court to handle. As a present matter of discipline he is put in stripes for sixty days and in third grade. It might be said that he is three times in jeopardy—in the circuit court; in stripes, and

fined. The law specifies that compensation can be denied to a prisoner for misconduct.

And further the witness sayeth not.

This was all the evidence taken at this time and place.

This concluded the taking of evidence at the above time and place.

The hearing was resumed on Saturday morning, February 23, 1924, at the Capital Hotel, Frankfort, Ky. Present: all five members of the committee. George W. Thomas, called as a witness at this time, being first duly sworn, testified as follows:

(George W. Thomas.)
(Questions by Chairman Young, of the Committee.)

1. Mr. Thomas, please give the committee your full name, residence and former occupation as well as your occupation now?

A. George W. Thomas, 882 Kentucky avenue, Frankfort, Ky., was guard at the penitentiary; am now bookkeeper for the Model Laundry, in this city.

2. How long were you guard at the penitentiary?

A. Judge, I have been there several times. First came there in 1906; stayed a little over six years, and then came back in 1914 and stayed until January, 1918, and went to the department of public roads. Then the first of September, 1920, I went back to the prison as guard under Moyar. He went in in August and I went in in September.

3. Do you remember that there was an investigation of the penal and charitable institutions by a committee of the legislature two years ago?

A. Yes, sir.

4. Were you called as a witness before that body?

A. I was; yes, sir.

5. Who asked you to come?

A. Mr. Bastin served a notice on me; told me they wanted me. Mr. Jillson, who was superintendent of the Lakeland Asylum, took me over to the Senate Chamber in his machine the night of the testimony.

6. You were asked in that investigation something about the guards having arms down there, were you not?

A. Yes, sir; they had me to relate the couple of assaults made on me, one by a convict who cut my clothes off of me almost, and another broke my nose and hurt my face. They asked me if I was armed; of course I said no.

7. Was there any other questions asked you about the arms?

A. Mr. Tachau, after the chairman had finished and excused me, asked permission to ask a question or two. Permission was given him and he asked me about what I thought of guards carrying guns.

8. And what was your answer to that?

A. As well as I remember I told him that having been up against a convict like I had been, that I would feel better with a gun in my pocket.

9. Did you find out whether that was pleasant to the managers or superintendent of the institution; the answer to that question?

A. It may have been imagination on my part, but I thought I saw that Mr. Tachau didn't like it at all, by the expression upon his face when I gave that answer; but the more direct evidence was on Friday afternoon the week the legislature adjourned, the deputy warden, Mr. Hopkins, at roll call that evening read a letter purporting to be from the Board of Charities and Corrections in which they said that they had had an investigation and that they had had a strenuous time but that they had come out with flying colors. I was on night duty then. But that it had developed that there were some employes of the Board of Charities and Corrections who were out of sympathy with the policies of the

board; in other words, traitors, and that they would give them an opportunity to resign; and Mr. Hopkins, after reading this letter, folded it and said, "if any of you feel that that applies to you I will take your resignation." I may have felt guilty; but don't know about that; any way I saw him looking at me. I was in the rear part of the guards. Nobody answered, and I went on and worked that night and the next afternoon when I went to answer roll call the gateman handed me a letter of dismissal from Mr. Bastin. I went into Mr. Bastin's office and said to him, "I would like to speak to you," and he replied that he didn't care to discuss it with me. I told him that I thought I had a right; that the law gave me that right, to know why I was discharged, and I insisted on an answer; some reason for it. He said that if I insisted on it he would tell me. He said that my evidence before that committee showed that I was out of sympathy with the board; in other words was disloyal and a traitor to them, I believe were the words he used, and that he had instructions from the board to let me go. That was on Saturday afternoon after the legislature adjourned on Tuesday or Wednesday of the same week.

10. There was no other charge of disloyalty against you except the one of your testimony before the committee was there?

A. That was all they spoke of.

11. Had they ever charged you with anything else before?

A. No; never heard of it.

(Questions by Representative Drury, of the Committee.)

12. How long before the legislature adjourned did you testify?

A. The negro hit me on the second, I think it was, of February, which was Friday, in the first week in February, I think, on the second, and I was summoned before the com-

mittee the next week, perhaps the seventh or eighth of February; six weeks, something like that, before the legislature adjourned, I testified.

13. Now no mention was made about the testimony you had given or the fact that they considered you disloyal until after the legislature had adjourned and left?

A. Oh! no; never heard nothing from them. Mr. Bastin, the night he called me out of the cellhouse to summon me, he said, "Now Mr. Thomas, I want you to feel at liberty to give any testimony that in your judgment is correct and the truth. I want you to feel that nothing you may say will jeopardize your place at the prison; want you to feel that you are not to be under any restraint at all.

14. Well, at that time you were not permitted to carry any weapon to defend yourself against the convicts were you?

A. No, sir.

15. And what was the occasion of you being beat up by those convicts—because you had no weapon to defend yourself; had neither club nor gun?

A. Yes, I had a club, but my club was nothing but a hull. One negro was cutting another all to pieces and I hit him with a stick and he turned on me.

16. Did he cut you?

A. Yes, sir; stabbed me in the leg there. The last time I had no idea about the negro hitting me; hit me unexpectedly. Of course, I could have killed him after he did hit me, but I had a stick in my hand and he jumped back so far from me the first time that I could not reach him, you know. He knocked me down and when I went to get up again, he knocked me down the second time.

17. How did the negro compare to you in size?

A. Great big six foot two negro. He was a miner from up in Harlan county; great big negro 32 or 33 years old.

(Questions resumed by Chairman Young, of the Committee.)

18. Do you know anything, Mr. Thomas, about a convict being put in charge down there at night to O. K. prisoners out and in?

A. I never knew it but once in all my years of experience; but one convict to have that power.

19. Will you tell the committee just what that O. K.'ing out and in meant? Just state all the circumstances about it.

A. Judge, when a convict is locked up and the count is made at night, you understand, I never knew it any other way except that a bonded officer could have the power to O. K. them out or take then out.

20. That is on the outside?

A. On the outside of the cellhouse, you understand. Now, this convict who did have that power he was the leader, or president, of the Bible class. In the years before the Bible class was let out in the cellhouse, probably the whites in B cellhouse and the negroes in A cellhouse. And when I went on there I was put on the first watch in B and in charge of B cellhouse, and there was a convict in there by the name of Crissey.

21. How many times had he served?

A. Understood this was his third time, but don't know about that.

22. All right, go ahead.

A. He was leader of this Bible class. The first Sunday night the turnkey said to me to let out the Bible class, I began to inquire into it and they told me they were to be let out into the yard to go to chapel. I asked for the O. K. He said, "Don't have to have any O. K.; Mr. Crissey will O. K. it." I went and found Mr. Wright, captain of the guards. He said it was all right, that Mr. Bastin said it was all right for anybody that Mr. Crissey took out for the Bible class; so I let them out, counted them out two by two. Some time

after that Mr. Bastin was down there and in order to get that straight I asked him. I said, "They have been turning these men out to go to the Bible class and it seems to be a very unusual thing to me. Am I supposed to do it on Mr. Crissey's order; what about it." He said, "That is all right; Mr. Crissey is responsible to me for anybody that he lets out." Of course, I said no more.

23. Do you know in letting these men out at that time whether it was one of the times that these convicts planned to break?

A. Yes, sir; know all about it.

24. Tell about it.

A. It was in 1921; Crissey was going out the next day, on Monday, so they planned to give Mr. Crissey a big send-off that night, and he came to me and said, "Now, Mr. Thomas, any one that wants to go out and to bid me farewell, it is all right for them to go; Mr. Bastin said it was all right," and I was satisfied it was, and I counted them out, and the best of my recollection is that there were 236 white men out of of B cellhouse, and as soon as I counted them out and locked the cell door on the outside, a couple of convicts, turnkeys, one man by the name of John Walls and the other Major Moore, come to me and called me to one side and said, "Captain Thomas, there is going to be a break tonight," and went on to name the desperate men who had gone out there, but didn't want it known they had told. The clerk who was working with me was eating his supper. I told him about it. I was in charge of the cellhouse and I told him to go up and tell an officer about this rumor he had heard. He did, and said that he had gone over to the hospital and found Mr. Earl Wright, who was now captain of the guards, and told him about what he had heard, and he simply said, "Oh, we'll take care of the breaks," and he come on back. And in coming back after the prayer meeting was over these twelve or fifteen men broke the line and ran in the engine room, threw

the big switch and put everything in darkness and attempted to cripple the engine, but they evidently didn't do that. Then they broke around to what we call the dead house gate to break the lock on that old dead house gate to get out in the parquet so as to get over the walls out there. There was a convict by the name of Matt Alcorn from over here in Mercer county. They missed him. They knocked two or three convicts in the head; a man by the name of Roberts and one by the name of Braley. Alcorn, as soon as he could find his way there, he threw the switch on and the lights come on and these fellows who were there hammering with the lock, they broke and formed into line and I counted them back into the cellhouse.

25. They were the men that had been O. K.'d out by this convict?

A. Yes, sir; nobody else ever O. K.'d them.

26. Did you ever know of any other superintendents or boards of control establishing the rule of that kind where one convict could O. K. another convict out?

A. No, sir; I never had the authority from any one except a deputy before.

27. Do you know whether that is the rule up in New York or Pennsylvania?

A. No, sir.

And further the witness sayeth not.

Also the evidence of Charles B. Keeler, taken at the Capital Hotel on Saturday, February 23, 1924. The witness, being first duly sworn, testified as follows:

(Charles B. Keeler)

(Questions by Chairman Young, of the Committee.)

1. Will you please give your name, occupation and residence?

A. Charles B. Keeler, superintendent of the broom factory; my residence in here in the Hunt House.

2. Is the Frankfort Broom Company connected in any way, by contract or otherwise, with the State Reformatory at this place?

A. Yes, sir.

(Questions by Senator Clark, of the Committee.)

3. How long have you been connected with the broom company out there?

A. Since the 4th of last June.

4. What position do you occupy?

A. Superintendent.

5. You work the convicts out there in the reformatory?

A. Yes, sir.

6. Do you know anything about the way the guards treat the convicts?

A. I don't know much about anything of that kind. I never seen anything that I would call out of line.

7. Do you know anything about lining them up and letting them fight?

A. Only rumor; not to my personal knowledge; never saw anything of that kind.

8. Have you seen any of the guards hitting convicts?

A. No, sir.

9. Know anything about that?

A. Have heard it has happened; that is all.

10. Have you seen any of the convicts after it did happen?

A. Oh, yes.

11. How did he appear?

A. Nothing unusual.

12. See any bruises on any of them?

A. No.

13. Do you know of any of them being punished for not making their task?

A. There is one that has been in solitary twice in the last thirty days; is in stripes now.

14. What kind of a machine does he run?

A. Sizing machine; he has a task of 1,000 lbs. a day.

15. Is he just a new man there?

A. No; has been there a long time.

16. How long has he been falling down on his task?

A. Oh, he does that every once in a while. He has fallen short two or three times this week, but hasn't been turned in.

17. Did he make any complaint of being sick?

A. No, sir.

18. What excuse did he make?

A. Bad corn, or something of that kind.

19. Do you know whether the corn he was using was bad?

A. Other men—there are four of them running—do their task and make no complaint about bad corn.

20. Do you know of any one from your place having the water treatment or water cure?

A. Not since I have been there; I don't know of anybody in the prison since I have been there; I have never heard of it; might have happened, but not to my knowledge.

21. But they have been put in solitary?

A. Oh, yes.

(Questions by Chairman Young, of the Committee.)

22. You are of the opinion that the water cure has never been administered down there?

A. Not since I have been there.

23. How long have you been there?

A. Nine months, fourth of next month.

And further the witness sayeth not.

Evidence of Chas. J. Howes, given at the Capital Hotel, on Saturday, February 23, 1924. The witness, being first duly sworn, testified as follows:

(Chas. J. Howes)

(Questions by Chairman Young, of the Committee.)

1. Give your name and residence.

A. Chas. J. Howes, Frankfort, Kentucky.

2. What position, if any, did you hold with the 1922 legislature?

A. Chief Clerk of the Kentucky House of Representatives.

3. I hold in my hand a report of the efficiency commission and I will get you to read the clause which is marked and state what you know about it.

"Another instance of the utter absence of control was found. The 1922 assembly ordered printed 1,000 copies of the report of an investigating committee. These reports were wrapped, addressed and stamped with five cent postage stamps. They were allowed to remain for several months in the office of the Clerk of the House and when that official desired to mail them he found that someone had torn off all of the postage stamps. The reports were thereupon transferred to the basement, where they still remain."

A. This clause has reference to the report of an investigating committee appointed by the two Houses of the General Assembly in 1922. The House of Representatives, as I remember, ordered a thousand copies of that report to be printed, stamped and addressed for mailing purposes. The thousand copies, referred to, were delivered to me as Chief Clerk of the House and stored in the only available space of the Chief Clerk's office. I sent a copy of this report to each member of the General Assembly, which left the difference between a thousand copies and 138 copies in my office. A short time after the legislature adjourned sine die, I discov-

ered that the wrappers, together with the stamps on the reports had been taken from all the wrapped copies. I inquired of the custodian of public buildings, Mr. Wilson, if he knew who had taken the wrappers off. He told me that he didn't know personally but had an idea as to the guilty party. I asked him then who it was and he said his suspicion was directed toward Mr. Lewis, who was, as I remember it, day watchman of the Capitol building. I asked what could be anybody's purpose in taking the stamps and wrappers and he said the purpose was to have them redeemed at the local post office. I immediately went to one of the post office employes and informed him of the situation, and suggested that if any wrappers bearing five cent stamp denominations were presented at the post office window for redemption that they were stolen stamps and to advise me immediately. I have had no word from that day on from the postmaster as to whether they were presented or not. Some six months after the legislature adjourned sine die, I went to my office again and found that these reports were missing. An inquiry from the custodian of public buildings elicited the information that they had been taken to the basement of the Capitol. During the present session of the General Assembly, I called upon the custodian of public buildings, Mr. Wilson, for a copy of the report, above indicated, and he advised me that under instructions from the present treasurer he had removed all the reports from the building as waste paper.

4. What is done with that waste paper, do you know?

A. Yes, I understand it is baled and sold by the custodian for the state.

5. Sold to persons engaged in the manufacture of paper?

A. I presume it is.

6. You say that you have never been informed that the stamps were offered anywhere for redemption, and if the motive was not to get the money for the stamps, in view

of the fact that the reports have since been baled and sold as waste paper, what other motive could you ascribe for the wrappers having been torn away, if any?

A. My judgment is, taking all of the facts and circumstances into consideration, that it was a deliberate attempt to destroy the evidence procured and submitted by the investigating committee, for the party who took the wrappers and stamps from the original reports had no earthly way of knowing that I had communicated with the postmaster in regard to these stolen reports, and I understand, though I don't know it personally, that these reports were taken from the basement long before the present treasurer assumed his duties as a state officer.

7. Will you file the report just handed you by the commission and make it a part of your evidence?

A. I will.

8. And mark it for identification "Howes No. 1?"

A. I will.

9. Did you ever see, or did you ever hear of the evidence or the report of that committee being published in any of the daily papers of the state?

A. I have not.

And further the witness sayeth not.

Also the evidence of Clarence Roberts, taken at the Capital Hotel, on Saturday, February 23, 1924. The witness, being first duly sworn, testified as follows:

(Clarence Roberts)

(Questions by Chairman Young, of the Committee.)

1. Will you please give your name, residence and occupation?

A. Clarence Roberts, Franklin county; stationary engineer.

2. Did you formerly hold a position with the State Reformatory?

A. I did.

3. Did you hear, or know anything, of the case of the Commonwealth against Jerry Reed, charged with the murder of Miss Parsons?

A. I did.

4. Will you please state what connections any of the reformatory employes had with that case. State what was said; the result of it and all the facts and circumstances about it.

A. I went there September 6, 1921, and was discharged on May 26, 1922. In the latter part of May, 1922, on Saturday afternoon, LaFever, chief engineer at the reformatory—

5. Was he the man under whom you worked?

A. He was the chief, but I worked under the warden. I was in Mr. LaFever's office and he asked me, in the presence of R. D. Hunley, present engineer, if I had saw the new custodian. I told him I had not. He said he was down with some evidence and wanted to know if some of us Republicans would not donate to help defend the negro. I asked him what negro, and he said "Jerry Reed;" said some of the boys give ten dollars, and he would give ten, or he promised to give ten. I told him I would give ten dollars to help prosecute the S— B—; that was the remark I made. He laid his hand on my shoulder and said, "that may cost you your job." I told him if it did, I didn't have any job. Now, just about that time, this fellow Alcorn, another one of the prisoners there, a switchboard man at that time, he come in from the mess hall and said that Capt. Woods had got up and wanted all the prisoners up there to donate; that was about all that was said about it at that time.

6. How long was it after this conversation until you did lose your job?

A. This was on Saturday afternoon and I lost my job on the following Friday.

7. Were any charges made against you?

A. They framed up that I was asleep on duty.

8. Was that true?

A. No, sir; it wasn't. I went to the Governor and told him it wasn't so. After my discharge I went to Mr. Bastin, immediately after I was discharged, and asked for a hearing. After some time in the office, he agreed he would give me a hearing on the following Tuesday. I went to Mr. Bastin's office about nine o'clock on Tuesday, and in the office I sent for Mr. LaFever, chief engineer, and asked Mr. LaFever if he knew anything of my being discharged until I was discharged. He said he didn't. Then I told Mr. LaFever that he knew all about it, and it was a frame-up and that he helped do it.

9. Did you tell him why?

A. No, sir; didn't tell; was going to tell him later.

10. Well, go ahead.

A. Mr. LaFever said that he knew nothing about it until he was called to the office. I told him that I knew of letters that he had been packing out of there for prisoners all the time down there. Mr. LaFever said that was settled; that he wasn't against me. Mr. Bastin said, "I will give you a fair deal." I told Mr. Bastin that I didn't want the job back; that I only wanted a fair deal, because I was going to give this to the paper. He said that if I was going to do that that he would quit right then. I told him all right, to quit then; that I was going to publish it. I wrote up a piece and went to the State Journal office here and tried to get them to publish it. They said they could not do it; that the Republicans had the paper for a certain time. I went to the Louisville Times man. He said he would publish it if Mr. Bastin would publish my discharge. He called Mr. Bastin

up and he refused to publish my discharge. I called him up later and he said, Mr. Bastin, still refused to publish it.

11. Did you ever know of them taking up donations down there for any other purpose?

A. No, sir; I don't. LaFever is the only man that ever said anything to me about anything like that.

12. Did you go to the Governor about this?

A. I did.

13. What did he say?

A. He said if he was me he would not publish it. I told him I was going to publish it. He said, "Roberts, I will get your job back." I told him I didn't want my job back; that it was a clear frame-up because I would not donate for that negro. He said it would not do any good to publish it. I told him it might amount to a whole lot in the long run.

14. It was your opinion from all the facts and circumstances that you knew that Jerry Reed was guilty, was it?

A. I believe he was from his actions that I observed while he was there. He was a mighty brazen negro. Always getting into trouble and getting put into solitary.

15. What is your politics?

A. I was a Republican at that time; never voted anything else until that time but the Republican ticket.

16. Now, about how long, as near as you remember, had these convicts—this particular bunch—been out in this camp before the murder?

A. I could not say. I was only night man and only got what I heard going in and out at the gate.

17. Had not been long, had it?

A. No, sir; only a month; something like that. I judge it to be a month. I know they called them in right after that.

18. Wasn't it generally understood among the employes around there that the prison officials and the administration was favorable to Jerry Reed in that prosecution?

A. Absolutely; absolutely; worst I ever saw; right after that he was given a white shirt and collar and put out in the front office.

And further the witness sayeth not.

This was all the evidence taken at this time and place.

The investigating committee met again on Monday night, February 25, 1924. All five members of the committee were present. The investigation was held at the Capital Hotel, and but one witness was heard, to wit: Ruel Crisp, who, being first duly sworn, testified as follows:

(Ruel Crisp.)

(Questions by Chairman Young, of the Committee.)

1. Give the committee your full name.

A. Ruel Crisp.

2. How long have you been in Frankfort?

A. Four months, the last of this month.

3. What business or occupation have you followed since you have been here.

A. Working at the Feeble-Minded Institute.

4. What position did you hold?

A. Was on the farm for awhile and then was a truck driver until two weeks ago, I was an attendant on ward with patients, and a week before that at work on night job as night watchman.

5. And did you while you were there help dig any graves?

A. I am the gentleman that helped dig them. I dug one and started another.

6. When you were digging the graves were the patients dead for whom you were digging them?

A. No, sir.

7. Do you remember the name of the party that you dug the grave for before she died?

A. No, sir; I don't. It was a feeble-minded girl in the institution; a T. B. patient, so they claimed.

8. Was there any trouble between the superintendent and any of the employes on last night?

A. Well, yes, sir; one of the employes came in there last night and it was about eleven o'clock and he came to my room at that time and woke me up. He said this to me—and he had a policeman with him—said, "I have come to get you to sign a paper, after you examine me to see whether you smell liquor on me, or whether I am drunk in any way, and if you do think I am drunk I don't want you to sign it." I could not tell that he had been drinking, and knew he wasn't drunk, so I signed it. The paper read this way: "If Mr. Sanford Polsgrove is drinking or drunk I can't tell it." The fellow in my room signed it and four more.

He told me that he came back to the office to get his keys and the doctor had taken them from the place on the wall where he hung the keys, and he forbidded him to go to his room—said that his room was locked up and he started over to the boys' department and the night watchman told him not to come in; that the doctor didn't want him, and for him to leave the grounds. He came on back in the office and sat down and had the lady in the office call the doctor. She called him and he would not come. So Sanford called him himself and talked to him and said, "I want to know why you have took my keys and won't let me in my room." He said to him, "If you think I am drinking or drunk, examine me right now," but he didn't come down. He told him to leave the grounds immediately, and he refused to leave the grounds. In a second or two a policeman was there.

9. What did the policeman do?

A. Examined him and said he could not see anything at all that was the matter with him. He brought him up there and we signed those papers.

10. Did the superintendent discharge all the people that signed that paper?

A. I was this morning, and have heard since this morning that three more have been. And if he has anything else that he has discharged me for only that, I don't know. Of course, they have been trying to rob me and a few more since that, and I can tell you of them if you wish me to tell it. There is some there, old ones, that stand in. I have been there four months and there has been thirteen employes fired and half of them don't know what they have been fired for. Five of them were chief engineers.

11. Where are you from?

A. Marion, Ky.

12. How did you get your job?

A. Well, I will tell you how I come here. I have got two girl friends here and I worked at Hopkinsville last summer and I was writing to these girls and they recommended me, and I sent my application in here and so I was called.

13. Do you know anything that you could say favorable for this institution that you have not said, that you could say?

A. They have a boy with chains on his legs and hands and he has been in the bed for two weeks that I know of; some of them said he had been in there a few days before I come in there. This boy hasn't been bathed since he has been there, which his clothes are there to show, unless they bathed him today, and the scars are on his legs still, too.

14. Is that a feeble-minded boy?

A. Yes, sir.

15. Is he violent?

A. No, sir; just started to run off; that is all that he has done, and I was told that he was put there for five weeks; of course, I don't know anything about that, but know he has been there two weeks.

(Questions by Representative Bush, of the Committee.)

16. This grave that you speak of digging for this girl before she died; do you know her name?

A. No, sir.

17. Know what county she was from?

A. No, sir; but could find out; have heard her name, too, but have forgotten it.

18. How came you to be digging that grave before she was dead?

A. That was my orders.

(Questions by Representative Cain, of the Committee.)

19. Who directed you?

A. T. L. Taylor, the superintendent, and I started on another and finally I swore off; said to myself that I don't intend to dig another; he can fire me if he wants to. Mr. Manley was boss over me. I told him, "You can dig another grave if you want to, but I won't." He said, "I won't either if you won't." He said, "You don't know how I feel digging it with the girl not dead." No doubt the girl knew it, too.

20. How did she know that?

A. The girls were running in and out there and they told her everything.

(Questions by Senator Clark, of the Committee.)

21. How long after you dug the grave before she died?

A. Day and night that I know of that the grave was open, that I know of before she died. They brought her to town after she died; took her away from there somewhere, and she was gone away about two days. The grave was still open then, and it had rained since that. I can't tell you the shape the girl was in the day he buried her, because I was

transferred over to the farm night-watching the day they buried her.

22. Did you see the boy that was in chains?

A. Yes, sir; stayed on duty with him two weeks.

23. Was he in chains when you left?

A. Yes, sir.

24. When did you leave?

A. This morning; and his dirty clothes were still on him, and all the rest of them bathed once a week, but he had not been bathed for two weeks, since he has been in there. His legs are so close together, the way they are chained, that he has to hop like a bird to get about; that is the only way he can get around.

25. Are his hands tied, too.

A. Yes, sir. He did get those chains off his hands once, but they put them back on him; but those chains on his legs have not been taken off for two weeks, and they are real tight.

(Questions resumed by Chairman Young, of the Committee.)

26. Do you know where Dr. Taylor, superintendent of the institution, is from?

A. No, sir; but I can tell you where he said he was from.

27. Where?

A. Ft. Wayne, Ind.

28. Do you know whether over there they dig the graves of people before they die?

A. No, sir; don't know. I never worked in an institution over there, but I have been working at bug houses and institutions since I was seventeen years old, and I never saw it done before in my life.

29. If you know of anything else that you think would be of benefit to this committee, would like for you to tell us.

A. Well, I think that is all I know.

(Questions by Representative Drury, of the Committee.)

30. Did he give his reason why he had that grave dug before she died?

A. No, sir. I was advised by some parties to not dig any more graves. I reported that to him. I said, "I don't think that I shall dig another one." He said, "Go ahead, I will back you up."

31. He didn't advise you to dig any grave for himself did he?

A. No, he didn't, and he didn't know but what he would have to have one dug pretty soon; I thought of that, too.

(Questions by Representative Bush, of the Committee.)

32. Did you understand why they were pulling that fellow last night; the purpose of that?

A. No, sir; I don't know; the only thing that I know is that he is going with a girl there in the office and she and this boy were off at the same time, so he made her stay on last Sunday, which was her Sunday off.

(Questions resumed by Chairman Young, of the Committee.)

33. Who was she going with?

A. Sanford Polsgrove, the gentleman that the policeman was after last night, and that is the only thing that I know that could have started it in any way.

And further the witness sayeth not.

This was all the evidence taken at this time and place by the committee.

The committee met at the Capital Hotel, Frankfort, Ky., on Wednesday night, February 27, 1924. Present at this hearing were Chairman Young, and Messrs. Clark, Bush and Cain, Representative Drury being absent on account of sickness. At this hearing Miss Rosie Cheek was introduced, and being first duly sworn, testified as follows:

(Miss Rosie Cheek.)
(Questions by Senator Clark, of the Committee.)

1. State your name, residence and occupation to the committee.

A. Rosie Cheek, Greendale School of Reform; 35.

2. How long have you been engaged in work there?

A. Since May 25, 1921.

3. What is your position there?

A. Matron at the girls' hospital.

4. Did you know Dr. Nelson while he was there?

A. Yes, sir; he came there and stayed about three days and examined the books; he spoke of a shortage of $300.00. Then he came back to Frankfort and came back again to Greendale and said it was $60.00; said something about giving checks and paying it out of the petty cash. Anyhow, I think the superintendent had to stand for it. Think she paid $30.00 one time and will pay the other at some other time.

5. Who was that superintendent?

A. Miss Helen T. Reeves.

6. Did they have a bookkeeper there?

A. Yes, sir.

7. Did she take any money away? What was her name?

A. Miss Mary T. Hurley. I take the money from the children when they come there and give it to the matron, after first putting it in envelopes. Miss Reeves had taken the superintendent's place. I found a handful of money in the desk. I figured it up and it was something near $50.00. I gave it to her in her hands and there was no more thought or said about it. But five or six months ago the girls called for their money, but there was no envelopes or money there; only about ten or twelve envelopes left. Miss Matthews was the bookkeeper then, and she was from Maine. She was very scatter-brained; would stay out all night, and we would not know where she was. When she left she owed everybody in

Lexington. I think Major Hickman was the cause of her being fired. She would hang around there. I think the secretary was the cause of this money being missed.

8. How long has she been gone?

A. Since June.

9. Do you mean to say that she is a kind of a sport?

A. I could not say that for sure, but she would go out and would come in at all hours of the night. Yes, I believe you would call her a sport. And the last time she stayed out two days and two nights. Came in in the morning looking very badly. She didn't come to our place that night where she should have come but went over to the other cottage.

10. Do you know anything about the treatment of the girls there?

A. Miss Reeves doesn't do much punishment besides locking them up and putting them on bread and water, but giving them dinner. She doesn't do much punishment whatsoever, I expect.

11. Do they complain of being hungry?

A. Yes; and the officers do, too. Monday night we had cold ham and stale bread. And we work from 7:30 until 4:00 in the evening. But that was the worst we have had yet; cold ham and bread that was so hard had to grind it with your teeth.

12. How are the girls dressed?

A. Have two dresses, two petticoats, two suits of underwear, two of everything except hose; have only one pair given them every three months; one pair at a time.

13. Do they all cook and eat at the same building?

A. No, sir; all go to the central dining room; this is a long distance, and often get wet to the hide. They can't change because they have no change, but we officers can; often we get wet through and through.

14. Isn't that best, in your opinion?

A. Isn't best, but it is because this hospital is a venereal hospital and they think it isn't exactly sanitary for these girls to cook there, and it has been changed for two years; have a central dining room and we all go to the central dining room. My girls have a separate dining room for the girls in "E" cottage, but all in the same building.

15. Do you know anything about Miss Reeves going to build a bungalow for herself?

A. Yes, sir; that's the plans; understand she is going to cut off a little corner of the dormitory and make it into a room and Miss McHatton and my room is to be in the back, and she will make an office and have her rooms there until she has her bungalow built. She has the plans for a bungalow. Of course that will cut the hospital up very much.

16. She has the lumber there to build it, has she?

A. I could not say for sure about that.

17. Do you know how many officers have been discharged over there since Miss Reeves has been there?

A. Twenty have left and been discharged together.

18. Do you know whether the ones that took their place had had any experience in that kind of work before they came there?

A. Not a one I am sure except possibly one who had worked in an orphan's home. She has been there only three days.

19. Do you know how many have run away since Miss Reeves has been there?

A. I could not tell you; I guess thirty or forty.

20. Do you know whether more since she came has run away than before?

A. Yes, sir; and there has been eight—four each time—gotten out by officer's keys. Miss Hancock gave her keys two times to girls and they escaped, but they got them back; one time out the front door and one time out the side door. An

officer isn't supposed to give keys to an inmate; at least in Major Hickman's time they were not supposed to. We used to have to state that in our application, but don't have to now.

21. Do you know anything about the discipline of the school now?

A. It is very bad.

22. Do the girls go to school?

A. They go to school if we can teach them. Some can't read their a, b, c's—can't read or write. They don't want to fool with them, and don't send them. I have one in my division that has been there fifteen months and she can't write her own name.

23. What is the condition of her health?

A. She has syphilis.

24. Have they attempted to treat her?

A. Oh, yes; she is treated twice a week.

25. Does the treatment given her seem to help her?

A. Yes, sir; I think so. Then we have a resident nurse that treats them every day, too.

26. Has the disease yielded to the doctor's treatment any during the past fifteen months?

A. Yes, sir; I think it has; does unless it is a stubborn case. One girl went home last Saturday that we had two years in June.

27. Do you administer Six O Six to them?

A. I don't know.

28. Was she sick when she came?

A. Yes, sir; nine out of ten we have to keep up in the hospital for such cases. Some we have to keep there for the whole fifteen months; some get out of the hospital in two or three months.

29. Do any men sleep there in the hospital?

A. Never did until Miss Reeves came.

30. Who are they and how do they happen to be sleeping there?

A. A Mr. Graham and Mr. True and another Mr. True, I believe. They are carpenters.

31. How long have they been sleeping there?

A. It was about June when they started to work there, I believe.

32. Has the number of employes increased there for the girls?

A. Not in my cottage, but has in the other cottage. There was six in that cottage and are eight there now.

33. Do you know how many pianos are there?

A. Three of the state's and the superintendent bought herself one, I believe.

34. How many girls play?

A. One; and she doesn't play by note; I think she plays by ear.

35. Do you know of any second-hand furniture being bought there?

A. Well, yes; Miss Reeves buys right smart of second-hand chairs, etc.; old crockery and dishes and things like that; and a table—two tables—I believe, she bought, too.

36. How many hours do you work?

A. Six to seven-fifteen—thirteen hours; until I put them to bed.

37. Who hired you?

A. Major Hickman.

38. Did you have any recommendations?

A. Yes, I did, from Mr. Tachau and Miss Mary G. Harley. She has the incorrigible school in Louisville.

39. Do you know Commissioner Byers?

A. Yes, sir.

40. How often does he come over there?

A. Well, he hasn't come over there very often; in the last month or so he has come out oftener; several of the members of the board have come oftener.

41. You mean since the legislature convened?

A. Yes, sir; had Mrs. Riker three days in succession.

42. Have they cleaned up any since the legislature convened?

A. No, sir; not at my place; don't know about the other places.

43. Do you know Mr. Sackett?

A. No, sir; I don't know Mr. Sackett.

44. He is from Louisville and a member of the Board of Charities and Corrections.

A. I have heard his name called but would not know him if I saw him.

45. As many times as he has been there you don't know him?

A. No, I don't know him.

46. Has Mr. Tachau been over there?

A. Yes, sir.

47. How often has he visited that place?

A. Not more than a dozen times. His wife comes occasionally with him.

48. Does Miss Reeves stay pretty close around there?

A. No, sir; hardly know where she is at about two-
ton and put in jail?
thirds of the time.

49. Would you know where she would go?

A. No, sir.

50. Who acts in her place?

A. Miss Bowers.

51. Where is she from?

A. From the orphans' home on Short street, in Lexington; I forgot the name of it.

52. Do you know anything about Miss Reeves having some of the girls arrested there and taken over to Lexing-

A. Yes, sir; Goldie Dubois had a big fight; had an ice pick in one hand and she had her arrested and read her the warrant and taken her to jail. The trial was to have been last week but I don't know what became of the girl; don't know where she is at now.

53. Do you know whether or not she sent one of them over to the Eastern Hospital for the insane?

A. Yes, sir; two of them, on account of a fit of temper. I have one of them who was brought back.

54. What is the condition of her mind?

A. Just a fit of temper. Her mind is as sound as the rest. We have sent girls there and they have kept them there where their mind wasn't sound, but this girl was sent back.

55. Sent back since that day we were over there?

A. Yes, sir; now I have the girls myself under very good discipline. My girls know they have to mind. I don't do anything but speak to them. But when I go away they take the place.

56. Was she one of your girls?

A. Yes, sir; one of my girls, but she is back now, doing nicely.

57. Were you there on election day?

A. Yes, sir.

58. Did you go and vote?

A. Yes, sir; I walked over to the voting booth; although it was a very bad day—raining. Two Democrats had to wait and walk over. Mr. DeWitt took the Republican voters over in his car, but he didn't ask any Democrats.

59. What is your politics?

A. I am a Democrat; Miss Wharton and Miss McHatton and myself are Democrats.

60. Did anybody try to get you to vote any particular way?

A. No, sir; I have always been a Democrat.

61. You mean to say they took the Republicans in the machine?

A. Yes, sir. Miss McHatton has a broken foot from slipping and falling down going down to the furnace. They didn't even offer to take her—they knew she was a Democrat. She finally went over in the bus. I had to walk through the mud and slop, but I went just the same.

62. How far is it over to that booth?

A. Three-quarters of a mile—something like that.

63. How many pairs of stockings did you say they have?

A. One pair every three months.

64. What do they do when they have to wash their hose?

A. Wash them at night; then we have a few old pairs left over, too. Now the stocking question is bad.

(Questions by Representative Cain, of the Committee.)

65. Have you made any complaint of that condition?

A. It isn't my place to order them. The head supervisor—matron—is supposed to order them.

66. Does she know about that?

A. I suppose she does. She has sixty over there.

(Questions by Representative Bush, of the Committee.)

67. About what price hose does she buy?

A. I expect along about 35 cents; just cotton hose; very cheap hose; would probably cost about fifty cents retail.

68. In your judgment did they have sufficient clothing as a whole?

A. I think so, except the stockings; they have two dresses, change of underwear and two petticoats. They take their bath Saturday, and Monday wash and iron; Wednesday they bathe again. It is wash all the time to keep the clothes clean; the stocking question is bad; used to get two pair; only get one pair now.

69. Do they keep the buildings in sanitary condition?

A. Yes, sir, I think that is all right.

70. Any bed bugs?

A. Yes, sir; I expect they have some bed bugs.

71. Are they pretty numerous?

A. I have worked awfully hard; have been there nearly three years; have got them nearly cleaned out. I was told that mine are in good condition. Now that we have new springs, I don't see why there should be any there; of course they were there in those old springs.

And further the witness sayeth not.

Also the evidence of Dr. H. G. Sanders, taken at the Capital Hotel, on Wednesday night, February 27, 1924. The witness, being first duly sworn, testified as follows:

(Dr. H. G. Sanders)

(Questions by Chairman Young, of the Committee.)

1. Give the committee your name, residence, present and former occupation.

A. My name is H. G. Sanders; I live at Burgin, Ky., I am practicing medicine; have practiced medicine for the last 31 years.

2. Were you ever connected with any of the institutions of this state?

A. In 1914 I was at Hopkinsville at the insane institution as first assistant physician, and from there was transferred to Lexington as first assistant, in 1917; and in 1918 was transferred to the Feeble-Minded Institute, and remained there until July 1, 1920.

(Questions by Senator Clark, of the Committee.)

3. Do you know who took your place at the Feeble-Minded Institute?

A. Dr. Taylor took Dr. E. W. Armes' place; I was only acting superintendent. My position there was assistant physician, or assistant superintendent, they called it.

4. How long did you stay at the Feeble-Minded Institute?

A. From December 1, 1918, until July 1, 1920.

5. During the time you stayed there did you see any appo-morphine administered?

A. Not that ever I remember.

6. Do you know what that medicine is used for?

A. It is mighty good for acute indigestion, because it will empty the stomach very quickly; it nauseates you and makes you very sick at the stomach.

7. In what kind of cases should it be administered?

A. In different cases; in acute indigestion it is one of the best remedies. It has been used in continued drunkenness. It has been used against the morphine habit itself. If you want to empty the stomach for any purpose, you can give it; if you take poison, you can take a dose of appo-morphine and empty the stomach, if you haven't a stomach pump, because it makes you deathly sick at the stomach and you will vomit, even if unconscious.

8. What size dose do you give?

A. One-tenth or one-twelfth of a grain usually.

9. During the time that you stayed up at the Feeble-Minded Institute did you have any occasion to administer it up there?

A. Not that I remember.

10. Do you know whether it was administered while you were up there?

A. Not that I remember.

11. During the time you were there, do you know whether or not appo-morphine was administered as a punishment for the children?

A. I don't remember that it was ever so used; I would not say positively that it was not, but not to my memory.

12. During the time that you were there did they ever put the children in chains for the purpose of punishment?

A. No, sir.

13. Never put them in chains for any length of time?

A. No, sir; not while I was there.

14. Does appo-morphine when administered except in cases of poison or something like that have any effect upon the system?

A. Well, it is prostrating; if you are giving it for a disease, it is prostrating. It is owing to the size of the dose as to how prostrating it will be.

15. Does it leave any after effects?

A. Only they go off into a quiet sleep after the vomiting stage.

16. Were you in charge of the institution during the time you were there or during any part of the time?

A. I was for nine months.

17. During that time did you order any appo-morphine given to the patients for punishment or for any other purpose?

A. No, sir.

(Questions by Representative Bush, of the Committee.)

18. What institution are you connected with at this time, if any?

A. None.

19. How long has it been since you were?

A. July 1, 1920.

20. Was that your last service with them?

A. Yes, sir.

(Questions by Senator Clark, of the Committee.)

21. Do you consider the administration of appo-morphine to an inmate of a feeble-minded institute a reasonable punishment for infraction of the rules?

A. No, sir.

22. During the time you were there, did you have to put the patients in bed for as high as a week, or for any other length of time, and feed them on bread and water?

A. No, sir; we never consider that they were needing anything of that sort; feeble-minded children would never expect that for infraction of the rules, and I never did put them in bed for that.

23. During the time you were there, did you have occasion to have graves dug for patients before they were dead?

A. No, sir; usually waited until they were dead, for sometimes they get well when you think they are going to die. I was there during the flu season and had to dig them pretty fast during that time.

24. Died pretty fast, didn't they?

A. Had a ten per cent death rate.

25. Is there any other statement you wish to make?

A. There was one statement that I understood they wanted me to make. Mr. Corbin, the supervisor there, tried to make one of the boys eat rice. He said he just could not eat that; could eat the balance of the food on the table but could not eat that. Corbin attempted to make him eat that and when he would not do it, he picked up one of the chairs and knocked the boy down. He came before Dr. Taylor with him and Taylor censured the boy and retained Corbin; retained him for a month, and then there was some talk about it and he discharged him on the 25th and paid him for the full month. It is the rule that when an attendant hits a patient he should be discharged.

26. Do you know of anyone that was present at the time Corbin struck him?

A. There were two young ladies there from Morgan county in the dining room, but I wasn't up there. If I heard the names, I could remember them probably.

And further the witness sayeth not.

Also the evidence of J. F. Glass, taken at the Capital Hotel on Wednesday night, February 27, 1924, at Frankfort, Ky. The witness, being first duly sworn, testified as follows:

(J. F. Glass)
(Questions by Senator Clark, of the Committee).

1. State your name, age and residence to the committee.

A. J. F. Glass, Greendale, Ky., 36 years; am an officer of the Greendale Reform School.

2. What position do you occupy with that institution?

A. I am division officer and instructor.

3. How long have you been such officer?

A. Since the 18th day of July, 1920.

4. Were you acquainted with that institution before that date?

A. Yes, I have known about it; I have lived in Lexington all my life.

5. How far is Lexington from the institution?

A. Six miles.

6. Do you know of any positions in that institution now that were not there before you went there?

A. Yes, sir.

7. How many?

A. Well, they did away, in making the central dining room, with three kitchens; that cut three cooks out. Of course, the housekeepers that kept the dining room at that time still have those jobs. The three cooks they did away with—they still have two in the central dining room now. That would make only two they did away with. There are

eighteen new positions they now have that they did not have before; eighteen and done away with two; that would be sixteen new employes.

63. Do you know of any officer or employes there who have served time in the reform school?

A. Have one boy there, who is now an officer, who used to be in my division, and was paroled to Major Hickman. The military instructor did time in a school out of Boston. The superintendent of the educational department did time in a reform school in Ohio—Mr. Campbell; the other fellow that is military instructor is John F. Quinn; John Isaacs is the boy that was paroled to the superintendent, Major Hickman, who did time before.

64. Are they still there?

A. Yes, sir.

65. Do you know anything about a boy being mistreated there?

A. Yes, I have seen a whole lot of them being mistreated.

66. In what way?

A. I have seen Quinn whip them unmercifully. Could not say how bad he did it in writing.

67. What would he whip them with?

A. Used long cowhide; he would hold to the post and would lash it around them. That has been sometime ago since he used to whip them that way. Moved them up to the disciplinary barracks and whipped them up there, and didn't allow any of the division officers up there except those that worked up there. Then I heard an officer that works there on Saturday—Leo Wilson—he told me that there was a colored boy that they had up there and that they had turpentined him; kept a bottle up there. This boy was Joe Baughman, the boy that they are trying for murder in Lexington today. Then Virgil Stinnett, a little boy about ten years old; I seen the super-

intendent of the educational department, not over a week ago, take that boy's vituals and set them out doors on the concrete platform, where you go up into the dining room, and said, "Go out there and eat like a dog." and the little fellow had to eat out there that way.

68. When was that?

A. Last Saturday.

69. Since the investigating committee was over there?

A. Yes, sir; last Wednesday, my day off, I heard a boy hollering down underneath my bed room and I went down the steps and peered into a vacant room there and a division officer was in there whipping a boy and he said, "You get a smile on your face." This boy was Virgil Stinnett.

70. Know what he was whipping him for?

A. No, sir; lot of times they are whipped; the little boys 10 and 11 years old, and the larger boys; they don't correct them at all.

71. Is the Stinnett boy a small boy?

A. Yes, sir; 10 or 11 years old.

72. Do you know what he did?

A. No, sir; they said he was bad.

73. What kind of discipline do they have over there now?

A. Well, mighty bad; the worse I ever saw since I have been in the institution.

74. Do you know of a bunch of them chasing a boy?

A. Yes, sir; boy in my division—been two years ago, maybe a little longer; his name was Robert Ray. The boy run off that morning and the bunch ran after him. He worked in the tailor shop; he was gone until late that evening and I was working some boys back of the store room and I seen him coming in. He was 18 or 19 years old. He had a hand of tobacco and I took it away from him. He worked in the tailor shop and he went on up. In a few minutes three men with a

double-barrelled shot gun came along across the field. They asked me if a boy came up there—describing him. I said "yes;" they said, "We are looking for him." said, "what for?" They said, "He insulted my sister and we are going to kill him." I told them to see Maj. Hickman and I talked to Maj. Hickman about it that afternoon and he said the boy confessed; said that the boy asked him for a sheet of paper to write home and got a drink of water and come back that evening and he insulted her. He said he made a mistake. He was transferred to Frankfort to the penitentiary.

75. Do you know anything about an inmate of that institution who had been paroled and killed somebody?

A. Yes, sir; Joe Baughman.

76. Do you know how long he had been paroled before he did that?

A. Just a little while.

(Questions by Representative Bush, of the Committee.)

77. Are you now working with the institution?

A. Yes, sir.

78. Well, do you know of any other treatment that they are giving, that they ought not to have?

A. Well, I know they punish the little fellows. When it is evening, when it is dark, they go into—lot of times the boys prize fight for pastime. I've seen three little fellows cutting up and Lieut. Quinn had a piece of plank, about that long (indicating about two feet) of 5/8 ceiling and he made those three little fellows hold out their hand and he hit them with all his might in the palm of their hand, and they were afraid to cry; just lay there and writhed; hit them in the hand with all his might.

79. Was it necessary for him to do that?

A. He is the boss—the one who does the disciplining—and I could not say anything to him about it.

80. Just little bits of boys?

A. Yes, sir; and if it had been a big one he would have passed him up.

We have a big dining room and all the boys are scattered out there. The other morning, two weeks ago, at breakfast, a couple of them come to the window and said, "Mr. Glass, come here." I said, "What is the matter?" One of them said, "Raymond Stallard reached over and hit me in the face." This was John Cooper talking. I said, "What did Stallard hit you for?" He said, "He has been sassy to me several times. I reported that boy to Lieut. Quinn and he gave him twenty demerits, but said he would hold it up on him because Mr. Welch wanted to get him away from there as soon as possible.

Right after that two negroes fought with knives in the dining room. I didn't see it, but the two ladies that run the dining room told me about it.

81. In what way did they fight?

A. I didn't see it; just heard them talking about it; don't know what they did, but they fought with knives though. The reason I remember it so well was because my boys had a fight in there that morning and I reported it and asked Lieut. Quinn what he did with them afterwards. The little boys always get punished. I have the biggest boys and I have a time with them. Where you let a boy go by and don't give him nothing, why it is hard on a division officer to run his division right. If you give them demerits it helps.

(Questions by Representative Bush, of the Committee.)

82. Have you ever seen Mr. Sackett at the institution since you have been there?

A. Once.

83. What was the occasion?

A. When his wife presented the school with two flags—state flag and government flag.

84. How long has that been?

A. Best of my recollection, a little over a year ago, and that was the only time I ever seen him there and the only time any of the employes ever seen him there and I have talked with all of them.

And further the witness sayeth not.

Also the evidence of Herman Green, taken at the Capital Hotel on Wednesday night, February 27, 1924. The witness, being first duly sworn, testified as follows:

(Herman Green)

(Questions by Senator Clark, of the Committee.)

1. State your name, age, residence and occupation.

A. Herman Green; 35; 146 E. Main street, Frankfort, Ky.

2. How close do you live to the Feeble-Minded Institute?

A. I suppose about a quarter of a mile.

3. Did you ever have a position in the Feeble-Minded Institute?

A. Was engineer there four years.

4. When did you cease to be engineer there?

A. Three years ago.

5. Who was superintendent at the time you quit work there?

A. Dr. Taylor.

6. How long had he been superintendent at the time you quit?

A. I can't say for sure about that; two or three months; something like that. I can't answer that positively because I just don't know exactly.

7. Do you know where he is from?

A. Dr. Taylor?

8. Yes.

A. Some says from Ft. Wayne, Ind., and some says from Tennessee.

9. Do you know whether he is a doctor of medicine?

A. I have heard that he is not; some one told me he was a veterinarian.

10. During the time you worked up there did you see him, or any one under his orders, administer appo-morphine?

A. I have my statement here, Senator Clark, about it if you want me to read it.

11. How many different times did you see this done?

A. I seen it done once, but there are several boys who knowed it has been done more than once, but I seen it done once with my own eyes.

12. Where were you and why was it done?

A. Why, I don't know; a little crime; run off, or done something in the yard, but won't say positively what he done it for.

13. Where was the boy when he administered it?

A. On the east side of the boys' dormitory.

14. What effect, if any, did it have on the boy?

A. First he give the boy a glass of water; then he placed the needle in the boy's arm and then he gave him a second glass of water. It made the boy sick. He got pale and nervous; droppd down in the bath room. He first told him to stand up; tried to make him stand up; he could not stand up for a fact. Then after he fell down he tried to make him get up. He used his foot to push him up, but he could not get up. Mr. Jones, who was the supervisor, but who is dead now, picked him up and laid him on the bed. I know it had an effect on this boy for several days.

15. Do you know of them giving this kind of medicine to any of the patients there affected with tuberculosis?

A. I will answer that question in this way: I know there were some boys there troubled with tuberculosis that worked at the powerhouse with me. I know it is a fact that he give these boys these shots and it is a fact that these boys

never done any more good after that, and finally died. Now, whether these shots caused them to die directly from that I won't say, but it is a fact that they were tubercular and that they did die after giving that to them.

16. Do you know whether or not he administered this medicine for the purpose of punishing these boys?

A. I don't know of anything else he could give it to them for.

17. Do you know whether or not he administered it to any of the girls?

A. I have heard they did; never seen it with my own eyes, but I have been told they did.

18. Are you willing to file all these various letters and statements as part of your testimony?

A. Yes, sir; they asked me to bring them and said that they were willing to swear to them; they are my statements and their statements.

Said statements are attached hereto and marked respectively, "Green, 1 to 7, inclusive."

19. Now do you know of anything else that would be of advantage to the institution or disadvantage to the institution? If so, please state it.

A. Well, you know I have not been there for right smart while.

20. Do you know how many attendants and nurses it takes to wait on Dr. Taylor's wife?

A. Well, we had a special nurse up there. I have been told that it takes three or four of the girls to wait on his children and the cook can't satisfy her. Things are too juicy or are not juicy enough. You will find a statement there where he took down a very expensive door because the glass was too high for the children to see out. Mr. Lee made that statement. He is a cousin of Senator Lee.

21. Do you know whether or not the nurse he has there

at his home is paid out of the expenses supposed to be used for the institution?

A. No; the state feeds her, but I don't know who pays her.

(Questions by Representative Cain, of the Committee.)

22. When did you quit work up there?

A. Been about three years.

23. Did you resign?

A. Yes, sir; the chief engineer that I worked under; he fired the chief engineer, and I resigned at the same time.

24. Do you know why the chief engineer was fired?

A. Yes, sir; because he was on the wrong side of the fence. I filled the chief engineer's place and the supervisor's place; was most everything there but superintendent.

25. Do you know anything about any graves being dug up there?

A. No, but I have had several tell me so.

26. Never mind about that—that would not be competent.

(Questions by Representative Bush, of the Committee.)

27. Now, is there anything that you want to state that would be of benefit to the institution?

A. Well, in a way, for he treatment of the children, I believe it would be a benefit to hire people more closely by and not so far off.

28. I asked you, did you want to say anything that would be in favor of the institution; that is, of the officers that run that?

A. No, sir.

29. You don't know anything that would be in their favor?

A. No, sir.

(Questions by Representative Cain, of the Committee.)

30. You mean to say that you could not say anything good about that institution up there?

A. Well, at the present time, I don't know of anything.

And further the witness sayeth not.

This was all the evidence taken at this time and place by the committee.

The investigating committee met Thursday night, February 28th, 1924, at the Capital Hotel. All five members of the committee were present. Chas. M. F. Striger, introduced as a witness, being first duly sworn, testified as follows:

(Chas. M. F. Striger)

(Questions by Chairman Young, of the Committee.)

1. Mr. Striger, give your full name, residence and occupation.

A. Chas. M. F. Striger, Covington, Ky., and I have been a practicing attorney for thirty-five years, until about a year ago, while I was confined in prison, the court entered an order disbarring me.

2. What prison were you confined in?

A. The Kentucky State Reformatory.

3. When did your term end there? I mean when were you released?

A. The 15th day of May, 1923. I was sentenced for one year, and I served for nine months and twenty-five days.

4. Will you, in your own way, tell the committee, so far as you were able to observe, about the management of the institution, together with the treatment of the prisoners, condition of their beds, bedding, food, and, in fact, all that you observed while you were there? Tell it in your own way; just tell it.

A. That would be a practicable impossibility for me

to enumerate all the things off-hand. From my standpoint there was an absolute neglect of duties to the prisoners there. There was no attention paid to the prisoners by either Mr. Bastin or any member of the Board of Charities and Corrections, or by Mr. Byers, so far as being upon the ground and among the prisoners was concerned; an absolute neglect of duty. If they had been informed they would certainly never allowed the prisoners to be treated and to undergo the hardships. I can't conceive of any human being encouraging or believing or practicing the things that were done there.

The cells, of course, are old and antiquated, and the officials of the institution, of course, cannot build new cellhouses but they could keep them clean. They are absolutely filthy. They are stained and dirty; there is dirt and dust all over the walls; the bunks are infected by vermin; I mean filthy, stinking bedbugs, innumerable; there is no attempt to control these vermin at all—absolutely none that I could see. There was no force regularly employed in the cellhouse, which could have been easily done, and I am told was done in past years, who might go over the cellhouses once a week or once in every two weeks and clean them up and destroy the vermin. There is nothing in the world to prevent the authorities of the institution from doing that.

The drinking buckets were absolutely filthy. There was no opportunity for the prisoners to clean the buckets themselves, and they were not cleaned by any officers or men in the institution. That could have been easily and readily done. The buckets were so filthy—mine could not have been worse than the general run of them—and they were so filthy that I could, with my finger, write my initials in the bottom of my drinking bucket in the dirt and slime. Of course, night buckets are abominable, but they can't be avoided. The prisoners when they leave the cells in the morning go to the rear of the bath house and empty their night buckets and

wash them as best they can. Of course, each prisoner's hands must be absolutely and necessarily filthy.

While I was there, at the beginning of my term, and for several months, there was a faucet at the rear of the bath house, coming out on the outer wall, that some of the boys turned on for the purpose of dabbling their hands and cleaning them a little bit. That privilege was taken away from those boys and they were compelled, 1,500 men, every morning at breakfast, to eat their meals with their hands in that condition, and with no opportunity to wash them. Of course, I don't know whether Mr. Bastin knew that or not. If he didn't know it, it was his duty to know it. He could not be heard to say that it was a waste of water, because that could not possibly have used up more than 10 or 15 gallons of water a day. While at the bottom of the steps, leading to the white dining room, there was a hydrant that was leaking water for six solid months; wasn't reported or a thing done about it during that time, and I am satisfied that hundreds of gallons of water went out there and ran over the pavement and under the cellhouse, which is made underneath the surface of the ground, you know.

I suppose there is probably a good city block, possibly a little more, within the walls. More than half that space is taken up with buildings, as probably you know, so that there is less than half a block where 1,500 men have to stand their time when they are on the ground. There is not a seat or place where any of those men can sit down. If they sit at all, they sit on asphalt pavement with their backs to the wall or sit on store curbing and gutter. I told Mr. Bastin about that and I asked him if something could not be done. Mr. Bastin said, "Well, indeed, I have never thought of that." I said to Mr. Bastin that those boys are tired they never have a holiday; never have a rest; they work nine solid hours a day in the shops; they spend more than 12 hours out of the 24 in those horrid cells and I said they are entitled to a chance to sit down and rest. I said as matters stand, you must

know, Mr. Bastin, that those men go back to work on Monday morning more tired than they are any evening when they quit work. He made a memorandum of it. I have not been back there—I don't know whether that condition exists now or not. Fifteen hundred men on stone pavements there is where they have to spend their time, on the so-called streets and sidewalks.

These streets are swept every morning with brooms. In the whole nine months and twenty-five days that I was there those streets were never flushed, as had formerly been done by some of the wardens. I spoke to him about that. I said, "There are 1,500 men here on the grounds every evening nearly after they quit work, and practically all day Sunday, and that poisonous suptum accumulates and that cannot be swept up. If it is swept up it flies in dust that the men must inhale—must breathe, and I said, "If there is anything in the germ theory—really I don't believe in it very much myself—those 1,500 men are breathing poison every breath they draw. Now, the only chance that those men have is in the summer time to sit a couple of hours a week, and that is in the stockade on Sunday afternoon to watch baseball games, where they sit in sun-scorched seats with the sun beaming down on them. They have no choice but to go; they have to go. These seats were not erected by the state but by the prisoners—the Mutual Welfare League—with which I was connected while I was in there. Prior to that time they were compelled to huddle out in the open like sheep, with the sun beaming down on them the hottest hours of the day .

The only time the pavement gets any washing at all is when there is a washing rain and then the slant takes it to the old cellhouse and that takes it partly underground, as you know this cellhouse is built below the surface of the ground.

As to the feed, it was reported to me by some of the prisoners there that I can't identify now, that Mr. Bastin had made the observation that most of them were fed better than

most of them were fed at home. I don't think there is a wife or mother in the State of Kentucky that could prepare, or ever did prepare, the quality of food that is fed to those men. They have black bean soup, beans and bean soup one day in every week. I want to tell you gentlemen that those beans were old and hard they had to cook them quite a long time. The result of it was that they were tasteless and they always came to the men immersed in the most filthy looking gravy-like substance that I ever saw in my life. It would look very much like starch that a housewife uses. It wasn't soup or gravy. What was in it I don't know, whether starch or flour; it was just a thick, slimy, tasteless mass of stuff. No human being could relish it. I am very fond of beans myself, but I could not eat that stuff.

The cornbread the prisoners must eat once every day at noon. That was the most horrible stuff that I ever saw in the shape of bread; it was evidently shortened by drippings of all kinds and character; it wasn't strained off, but all used together with the sediment in it, and that mass in the manner in which it was made all settled at the bottom, so that there was from one-half to three quarters of an inch on the bottom of every pone of cornbread that was a dirty, yellowish-brown color, and so very rancid that nobody could eat it. The bottom was of such texture that it could scarcely be cut with a table knife, and next to impossible to chew it at all. How they ever managed to make such crust for bread, I cannot understand. It was the worst I ever came in contact with under any circumstances; it was the worst I ever saw. It was of such character that when the pones were cut in pieces, the bottoms almost invariably fell away from the rest of the bread in a piece that was as much like leather as anything that you could compare in the way of eating.

They had navy bean soup one day in the week that was fairly good; they had baked beans rarely, which were very good, but, at least about three times a week the men were fed upon old tough ox liver or cow liver or bull liver and old

tough beef hearts that the men laid aside. They absolutely could not eat half of it. They managed to pick out the most tender part of the liver and get away with that because men that work as hard as they do and get as little to eat as they do, can manage to eat most anything.

They had cabbage one day in the week, utterly tasteless, with nothing cooked with them to give them any taste or flavor at all; absolutely devoid of taste of flavor.

For Sunday dinner the men were given a square hunk of beef and potatoes; that is all they had.

Nearly every night for supper the supper consisted of dried bread cooked in the bakery in the institution, and a few dried peaches or a few prunes. Usually one's portion of prunes was 4 or 5 of the most inferior kind that you ever saw, I suppose; even after being cooked they were almost dry.

The men were hungry; they did not get enough to eat. I, myself, spent from two to three dollars many weeks to supplement the prison fare in order that I might get enough to eat. Many of those men, in fact nearly all of them, don't have the money to supplement their prison fares. They only get ten cents a day, and many of those men are thoughtful of their families at home and out of the $2.60 that they earn a month they usually send home $1.00 or $1.50, and save the rest to buy a little tobacco, cigars, cigarettes and things of that kind that they feel they must necessarily have.

Now, the mail facilities there are outrageous. They proceed on the idea that no prisoner has any business back home when he goes to prison, while exactly the opposite is more often than otherwise the truth. Each prisoner is furnished with one sheet of paper, no envelope, no stamp, each week, and that is on Saturday night. He is supposed to write his letter and get it ready for the Monday morning's mail, and those letters are deposited in the corridors of the cellhouses by the prisoners as they go out on Monday morn-

ing. If one desires to write oftener such obstacles are thrown in his way that it is a practicable impossibility. You must go and get the superintendent's permission before you can write a letter on business you can only write to designated relatives and then only one letter a week. Men in solitary confinment can only write every two weeks, and probably in the worst cases not at all. Those letters go to the official censor, who is a guard, and he has one prisoner assistant. I, myelf, have had the experience, and nearly every prisoner there has had the same or similar experience—if a letter is rejected by the censor it is not returned to the prisoner until the following Saturday night. I had two or three rejected on the most trivial grounds imaginable. One of the reasons for sending my letter back was that I had written at the fop of the sheet, above the heading. Another reason why I had letters returned was that in winding up I had written two lines in lead pencil in one space. Some of those letter were letters of importance, but I never could get them back until the following Saturday night, and there is no system about the mail matters at all. A letter that will be rejected for one of those reasons at one time, at another will be passed by the censor's scrutiny so that a prisoner never knows whether his letter is going out at all until the following Saturday night. Mail that comes to prisoners there, no matter of how much importance that it may be, if it isn't from a relative, who is designated out front as one he may write to or receive mail from, the prisoners never gets it, no matter what the importance of the subject may be. My own experience I had there cost me several dollars. I was in connection with some of my relatives, with the permission of the superintendent. I wanted my trunk sent directly to the prison, so that I could go directly south from the prison, but on account of letters not being delivered directly to me a letter that I had sent being miscarried, I had to go back to Covington and Cincinnati and start over again.

Those are the things that occurred to my mind now. If

I was asked about some of those other things my memory might be freshened, but there is so infernally much to justly compain about there that no human being can carry it in his mind.

5. Did you ever see them whip or knock any of the prisoners?

A. No, sir nothing of that kind was done. Mr. Bastin is a very careful man about guards abusing prisoners on the grounds or in the shops. He dismissed one guard for abusing a colored fellow, but the punishments otherwise are inhuman.

Men with little personal difficulties are made to fight, and I witnessed one of those fights myself by accident. I recall on one occasion, two young boys—could not have been more than 20 or 21 years of age—they were acquaintances and friends and had some difficulty in the dining room one evening at supper time. They were nabbed by the guards and taken from the dining room—with my general knowledge of affairs there I had my suspicion what was going to happen. I looked for those boys to see what had happened. I finally found one. He was a frail little fellow—only weighed 110 or 120 pounds, and the other boy was about the same size. When I met this boy on the ground I never saw a worse disfigured face in my life. The skin was all knocked off his face, lip cut and eyes black and swollen, and 4 or 5 of his front teeth, up here, knocked loose. I asked him about the fight and he said the other fellow was punished about as much as I was. He said the difficulty amounted to nothing; that they knew each other well and it was only a little spat that they would have settled between them, but that they were compelled to go to the cellhouse and battle and beat each other up in that way.

Another fight that I witnessed was between two burly negro men. When I got into the cellhouse I saw them down at the far end of the corridor under the window. One of

them was crouching in a corner and the other fellow was over him with his clinched fist and just ready to jump on him like a wild beast. The captain of the day guard was there witnessing it as a spectator at that fight. Don't know whether he had ordered it or not; anyhow the fight was about over, I judged, from the cowering attitude of one and the savage beastlike attitude of the other. I left the cellhouse because I had no business to remain there; but they wound up the fight and I didn't see them afterwards.

That man Hopkins is a brutal overbearing man. He knows little, if any, of the decencies and amenities of life. He never had a pleasant word for any of the prisoners and to give you an illustration of his attitude in that respect I want to say that shortly after I went there I happened to be standing by the cell door. A young man was arrested and brought down and Hopkins was in the crowd. While standing there in my hearing Hopkins said to him, "Well, you struck him with a chair, didn't you?" The young man, about 35 years of age, and athletic young fellow, politely responded, "No, sir; I didn't." Hopkins said, "You are a God damn liar, and by this time tomorrow evening you will begin to realize more than I am telling you now."

(Questions by Representative Drury, of the Committee.)

6. You spoke of the food down there. Haven't they such an official down there known as a dietitian?

A. I was told that there was one; that is true.

7. Do you suppose that those starchy beans and that hard cornbread and those cabbage were cooked under the supervision of the dietitian?

A. I never saw any human being, man or woman, that appeared to be in the attitude of a dietitian or having any supervision over the dining room or kitchen.

I would like to file with you gentlemen a statement which appeared in print which I prepared.

8. Let it be considered filed.

9. What about the bedbugs; any over there?

A. There were so many that they were innumerable; don't think anybody could form any estimate. One prisoner told me that he found so many in his cell that he pinned them up on the wall in geometrical figures. I did not see them, but he told me that was the truth.

10. Do you know whether or not they ever punished him for treating the bugs that way?

A. No, I don't know anything about that; no excuse for that condition of affairs, gentlemen.

11. With the character of cells they have there it would be easy to get rid of those bugs, would it not?

A. Undoubtedly; if they had a force going through those cellhouses every week or two weeks, it would be no trouble in the world to keep them clean. They never scoured the cells or floors to keep them clean.

And further the witness sayeth not.

The evidence of Charles E. Wright, taken at the Capital Hotel, Frankfort, Kentucky, on Thursday night, February 28, 1924. The witness, being first duly sworn, testified as follows:

(Charles E. Wright)

(Questions by Chairman Young, of the Committee.)

1. Mr. Wright, please give the committee your full name.

A. C. E. Wright.

2. Please state your present residence.

A. Louisville, Kentucky.

3. And if you have had any former residence, state that.

A. Well, I have lived in Frankfort and Louisville together for twenty years.

4. Were you ever connected with any of the public institutions, or had occasion to audit or look after any of the affairs of any of the public institutions of Kentucky. If so, state your connection and experience with it.

A. Well, as Assistant Auditor, or rather the Claim Department of the Auditor's office, from 1903 to 1908, I audited the disbursements and receipts of all the public institutions in this state, and in 1918 and 1919, as Assistant State Inspector and Examiner, I checked the public institutions.

5. You have been requested by the chairman of this committee to look up and check up as far as you had access the affairs of the charitable and penal institutions, have you not?

A. Yes, sir.

6. Are you, from an examination of the records in the Auditor's office, able to state how much, taking twenty years back of the time the present board took charge, what the deficit was for the penal institutions of the state for the twenty years?

A. I am; I would have to refer to my record to give it to you, though, judge.

7. All right.

A. In making this table, in order to arrive at it, I blocked off under the different boards that were in control during their administration, and first beginning in November, 1899, the fiscal years ending on the 30th day of November, the expenditures and receipts as shown in this table and during a period from 1899 to 1905, the expenditures over receipts for the penal institutions was $14,742.77; that was at the Frankfort penitentiary. At the Eddyville penitentiary the expenditures was $132,548.49, making net cost of both combined for that period $147,291.26. From 1906 to 1911 at the Frankfort penitentiary the total receipts for these six

years was $291,468.70 and the deficit at Eddyville was $127,-510.54, making a net income from both institutions, from 1906 to 1911, of $163,958.15.

From 1912 to 1919, inclusive, there was a net cost at the Frankfort penitentiary of $250,850.47, and at Eddyville a net cost of $112,901.96. The net cost of both institutions was $362,572.43.

Now, from 1920 to 1923, inclusive, the expenditures in excess of receipts at the Frankfort penitentiary was $834,-098.44; at Eddyville it was $393,103.27, making a total deficit at both institutions of $1,277,201.71.

The average cost per annum for operation of the penal institutions covering the above period of twenty years, from 1899 to 1919, was $17,354.27. The average cost per annum for the operation of the penal institutions from 1920 to 1923, inclusive, was $319,300.42; that is, on penal institutions separate and alone.

8. Will you please take the figures, make the calculation and give to the committee the deficit for the running of these penal institutions for twenty years?

A. The net deficit for twenty years from 1988 to 1919, inclusive, was $347,085.54.

9. Will you please state to the committee the deficit from the time the Board of Charities and Corrections took charge about three and a half years, or a little more ago up to now on the same institutions?

A. $1,277,201.71.

10. Did you get these figures from the Auditor's office, where these warrants have been issued and the evidences of payments issued?

A. I got these last few figures from the reports made out by the present board and verified them by the figures in the Auditor's office.

11. Will you make the calculation there for convenience

and tell the committee what the difference in the deficit under the old management for twenty and the deficit for three and a half years and a little over under the present management is?

A. $930,116.17.

12. Carrying that to its conclusion, and figuring four years for this much deficit, at the end of the next twenty years under the same management with no greater expenditures, would you please give the committee what would be the deficit at the end of the next twenty years,

A. The deficit during this period, over and above receipts for four years, was $1,277,201.71; it would be $6,385,008.55 for twenty years.

13. Now, figuring the deficit for say four years of $6,400,000.00, as shown by the reports and testimonials of Mr. Byers, on all these institutions, what would be the deficit, in round numbers, at the end of twenty years, figuring that they would put in no more employes and at no greater cost?

A. Thirty-two million dollars, in round numbers.

14. Have you got a record showing, or have you gotten from the records, the number of inmates or persons confined in these institutions during the twenty years you have testified about as compared with the last three and a half or four years under the Board of Charities and Corrections?

A. Yes. The average number at the Frankfort penitentiary covering a period of twenty years, up to and including 1919, was 1,291 and a fraction, the way it figures; and at Eddyville, 615. Now, since 1919, the average number is 1,312 at Frankfort and 435 at Eddyville.

15. Give me the difference either way of the average number of prisoners for twenty years back of the time after the expert from Pennsylvania took charge.

A. 159 less since 1919 than the average number for twenty years before.

16. Have you a table showing the difference between

the number of employes, dating back of the time when the Board of Charities and Corrections took charge, as compared with the number that they have had employed since?

A. Yes, sir.

17. State it.

A. Do you want them by institutions?

18. Yes, sir.

A. The Eastern State Hospital for the fiscal year of 1918 had 138, and for 1923 had 151.

The Central State Hospital in 1918 had 162 and in 1923, 193.

The Western State Hospital in 1918 had 151; in 1923 had 168.

The Feeble-Minded Institute in 1918 had 46; in 1923 it had 60.

Both Houses of Reform in 1918 had 72; in 1923 they had 82.

The State Reformatory at Frankfort in 1918 had 60; in 1923 had 78.

The State Penitentiary at Eddyville in 1918 had 54; in 1923 had 46.

Now, the State Board of Control prior to their going out of office in 1918 had six employes in their office. In 1923, during the year there was an average of twenty-three for the present board.

19. Mr. Wright, in your search of the records, isn't it a fact that the employes who were dispensed with since the Board of Charities and Corrections took charge were those who occupied minor positions, and in their places they put people with higher salaries, like stenographers and people in the office?

A. The record I examined was the record furnished you by Mr. Byers. That showed that they took employes of the laundry and engineers who fired engines and replaced

them with patients and disabled convicts and employed stenographers and clerks in the office and assistants; that was my observation from the inspection that I made, taking his figures, that they had been reduced.

20. The last named were hired at very much larger salaries, were they not, than those that they had dispensed with?

A. Yes, sir.

21. Did you or not check up the number of automobiles at these different institutions?

A. No, sir; I didn't myself.

22. I am showing you a letter from the Pennsylvania, Mr. Byers, I would be glad for you to read into the record the number of automobiles he reports there to the Auditor as being owned and run at state expense by these institutions.

A. Eastern State Hospital, Lexington, Ky., one 3½ ton U. S. army truck; one Ford touring; one Studebaker touring.

Central State Hospital, Lakeland, Ky., one Dodge touring; one two ton Pierce-Arrow truck; one one ton Ford truck; one ½-ton Ford truck.

Western State Hospital, Hopkinsville, Ky., one six ton Packard truck; one two-ton Packard truck; two Ford touring cars; one Ford truck.

Feeble-Minded Institute, Frankfort, Ky., one Dodge touring; one one-ton Ford truck; one five-ton U. S. army truck.

State Reformatory, Frankfort, Ky., one 3½-ton U. S. army truck; one Ford touring; one Dodge touring.

State Penitentiary, Eddyville, Ky., one Ford touring; two 3-ton Peerless trucks.

State Houses of Reform, Greendale, Ky., one Dodge sedan; one Ford truck; one Peerless truck, one Reo bus.

Girls' Department, State Houses of Reform, Greendale, Ky., Ford sedan.

State Board of Charities and Corrections, one Durant touring; one Ford touring.

23. From your examination of the record, will you please state to the committee the insurance companies represented in Kentucky by Chairman Tachau & Son?

A. The record that I get these reports from that E. S. Tachau & Son represent in this state, comes from the city directory of Louisville as an advertisement for these insurance companies under the firm name of E. S. Tachau & Son, general insurance, 308 Speed Building, represents the following companies:

London of Scotland Assurance Corporation.

Newark Fire Ins. Co.

Providence Washington Fire Ins. Co.

Rhode Island Fire Ins. Co.

Sterling Fire Ins. Co.

Sun Ins. Co.

West Chester Fire Ins. Co.

24. From your examination of the records, will you please state from that examination how much insurance these companies hold upon the institutions under the control of Chairman Tachau and this board?

A. The records show that the above companies carry $408,000.00 of insurance, divided in eight policies of $51,000.00 each on property under the control of the State Board of Charities and Corrections.

25. Is there any other company or companies that is represented by either the husband or wife of any member of the Board of Charities and Corrections which has insurance upon these institutions? If so, state who they are.

A. The American Fire Insurance Co. carries a policy of $51,000.00, and is represented by Lafon Riker, of Lexington, Kentucky.

26. Is Lafon Riker a member of the Board of Charities and Corrections?

A. No, sir; not as I know of.

27. Has he any folks that are?

A. His wife is a member of the board; she is carried as such.

28. I will get you to turn to the minutes of the board, which I now hand you, under date of July 6, 1920, page 76, and read to the committee the minutes of that board meeting and state whether or not immediately after Mr. Tachau and others were appointed upon this board, all the policies of insurance on the state institutions were cancelled?

A. The minutes read thusly:

"Recommended that all existing fire insurance covering institutions under the control of this board be cancelled."

That was on the 6th day of July, 1920.

29. I will get you to turn to the minutes of May 24th, 1920, page 30, and read those minutes.

A. "The existing insurance on institutions under the control of this board be cancelled and that insurance in the amount of $5,000,000.00 be placed to cover said institutions; said insurance to be written for a period of three years on the institutions where it can be placed for that length of time."

30. Do you know whether or not there is a minute upon the record appointing E. S. Tachau to place this insurance?

A. I find the following order of cancellation of this $5,000,000.00 of insurance:

"It was ordered that Mr. E. S. Tachau be designated a committee and be vested with full authority to handle this matter as outlined above."

This is the same date, but written on the following page.

31. Are you enough acquainted with the insurance rates, Mr. Wright, and insurance policies to know what it costs the State of Kentucky to cancel the policies that they then held and to take out others in these new companies?

A. I am not. The record shows that they were cancelled at short rates; that means at the least amount that could be refunded on the policy unexpired.

32. What would you estimate from what you do know of it that it cost the state to cancel these policies?

A. I would have to know how long these policies would have to run, but I do know it cost the state considerable money to cancel these policies at that rate, but I am not prepared to give you the figures.

33. How much were the premiums paid to secure this new insurance?

A. $74,369.29.

34. Have you gone through a large part of the minutes of the Board of Charities and Corrections?

A. Yes, sir.

35. As compared with the meetings during the last four years, how many, according to their minutes, was there a full membership present, approximately during that time?

A. I don't recall exceeding half a dozen meetings where the minutes show a full membership present.

36. From reading the minutes, do you observe, Mr. Wright, that many of the important things, including the parole of convicts, was referred to Mr. Byers and Mr. Tachau?

A. Yes, sir.

37. I will get you to read on March 2nd, 1920, who was appointed as superintendent of the Feeble-Minded Institute, and what the order says.

A. The minutes of March 2nd, 1920, the minutes of the Board of Control:

"Convened with the following in attendance: Mr. E. W. Hines, chairman; Mrs. Lafon Riker, F. M. Sackett, S. H. Halley, Dr. W. A. Ganfield."

The minutes show there that Dr. T. L. Taylor was appointed superintendent of the Feeble-Minded Institute, effective March 1st, 1920.

38. Does it give his residence at that time?

A. No, sir says that his bond is approved, and that it is understood that Dr. Sanders will remain as assistant physician until further notice.

39. Have you any information as to the former residence of Dr. T. L. Taylor before he came to Kentucky?

A. None except hearsay, Judge.

40. What is the last page in the minutes of this board that are numbered?

A. December 5th, 1921, is the last date on which the pages of the minutes of the board meetings are written on are numbered.

41. It is a loose leaf book, isn't it?

A. It is.

42. Do you know why they quit numbering them from that on; do you know?

A. No; I don't know why they did it.

43. I will read you the following names, together with the date of their appointment, and the positions to which they were appointed:

Dr. T. L. Taylor, superintendent Feeble-Minded Institute, March 2, 1920.

Helen T. Reeves, New Jersey, Inspector Pauper Idiots, December 20, 1920.

Major H. B. Hickman, superintendent House of Reform, June 24, 1924.

W. H. Moyer, New York, warden State Reformatory, August 2, 1920.

Dr. W. A. Jillson, Cincinnati, August, 20, 1920.

Dr. Bertrand L. Jones, superintendent Central State Hospital, from Detroit, August, 2, 1920.

Anna H. Roller, Saginaw, Michigan, parole officer, Nov. 20, 1920.

Dr. F. A. Irman, assistant superintendent Feeble-Minded Institute, July 11, 1921.

Helen T. Hill, New Jersey, assistant to Miss Reeves, September 20, 1921.

I will ask you if it isn't your information that all these folks were non-residents of the state prior to their appointments?

A. The minutes show that, Judge, except in Taylor's case, and they don't show where he was prior to his appointment.

44. Turn to the minutes of Dec. 20th, 1920, page 165, and see what they say about Miss Helen T. Reeves.

A. "The Commissioner of Public Institutions, Joseph P. Byers, reported that he had employed Miss Helen T. Reeves, of New Jersey, as Inspector of Pauper Idiots at a salary of $125.00 per month and expenses."

45. Turn to page 64 and see what it says about Major Hickman as to his residence.

A. "Upon the recommendation of the commissioner, Mr. Joseph P. Byers, Major H. B. Hickman, at present connected with the Indiana Reformatory, at Jeffersonville, Ind., was appointed superintendent of the Houses of Reform at Greendale, at a salary hereafter to be fixed."

46. Turn to page 86, under date of Aug. 2nd, 1920, and read to the committee the appointment of W. H. Moyer.

A. "On recommendation of Commissioner Joseph P. Byers, Mr. William H. Moyer, of New York, was appointed warden of the Kentucky State Reformatory at Frankfort, effective Aug. 12th, at a salary of $3,600 and maintenance."

47. Turn to page 107, under date of Aug. 20th, 1920, and read what it says about the appointment of Dr. W. A. Jillson.

A. "Upon nomination of Commissioner Byers, Dr. W. A. Jillson, of Cincinnati, Ohio, was appointed superintendent of the Central State Hospital at Lakeland, effective August 20th, at a salary hereafter to be fixed."

48. Turn to page 86, under date of Aug. 2nd, 1920, and read the order with reference to the appointment of Dr. Bertrend L. Jones.

A. "On recommendation of Commissioner Joseph P. Byers, Dr. Bertrend L. Jones, of Detroit, Mich., formerly of Louisville, Kentucky, was appointed superintendent of the Central State Hospital at Lakeland, effective Sept. 1st; salary to be hereafter fixed."

49. Turn to page 147, under date of Nov. 20th, 1920, and read regarding the appointment of Anna H. Roller.

A. "Commissioner of Public Institutions Joseph P. Byers, reported that Miss Anna H. Roller, temporary woman parole agent, had reported on Nov. 18th and had immediately gone to work."

50. Have you any information as to whether she lived at Saginaw, Michigan, prior to that time or not?

A. I think there is some minute that refers to her residence, as being a resident of Saginaw, Michigan.

51. Turn to page 267, under date of July 11th, 1921, and read the minutes with reference to the appointment of Dr. F. A. Irman.

A. "Appointment by Dr. Taylor of Dr. F. A. Irman, of Butte, Idaho, as assistant superintendent of the Feeble-Minded Institute at a salary of $1,800.00 and maintenance."

52. Turn to page 293, under the date of Sept. 20th, 1921, and read from the minutes what they say with reference to the appointment of Miss Helen T. Hill.

A. "The commissioner reported that Miss Helen F. Hill, of New Jersey, will report about Oct. 5th of 6th to assist Miss Helen T. Reeves in the investigation of pauper state idiots; now receiving $75.00 a year. Such additional assistance had previously been authorized by the board."

53. Turn to page 114, under the date of Sept. 13th, 1920, and read the order with reference to auditing secretary.

A. "In view of the new system of bookkeeping established in the office of the State Board of Charities and Corrections and the general reorganization of the office, the position of auditing secretary, at present held by George B. Caywood, is hereby abolished, effective Oct. 1st, 1920."

54. Have you any information as to his salary at that time?

A. $150.00 a month.

51. Look at the minutes of Aug. 20th, 1923, and see what was done with that office.

A. "It has been on my mind for some time that we would head up the department much better than at present if we had a head bookkeeper, to be designated as such, or preferably as auditor. My opinion of Dr. Nelson's ability to handle this new position is confirmed by Mr. Habitt, who is thoroughly familiar with his work and capacity. I believe we should pay him $2,400.00 a year as auditor, and so recommend."

16. Will you turn to the minutes of Jan. 21st and 22nd, 1920, and read what it says with reference to the substitution of plaster board for wood lath at the tubercular hospital at the Western State Hospital?

A. "Substitution of Sackett plaster board for wood lath at the tubercular hospital at the Western State Hospital at net difference of $296.00, was approved by the board."

57. Sackett plaster board?

A. Yes, sir.

58. Turn to page 319, under date of Nov. 15, 1921, and read what the minutes say with reference to Dr. Taylor's request for reimbursement for use of his automobile.

A. "Request of Dr. T. L. Taylor, of the Feeble-Minded Institute, for reimbursement in the sum of $844.50 for the use of his personal automobile on state business was referred to Commissioner Byers for investigation and report."

59. Now read the order of February 7th, 1921, page 195, with reference to the report of Examiner James.

A. "It had previously been reported to the board that State Inspector and Examiner James, in a report filed with the Governor, criticized the operation of automobiles at several institutions and had written letters to the superintendents directing that the use of certain cars be discontinued. In view of the fact that the matter has never been formally presented to this board and that the board is organized and vested by law with the management of said institutions, it was a concensus of opinion that no notice should be taken of said report."

60. Will you file as part of your testimony the report of Henry E. James, dated November 28, 1921, to the Governor with reference to these institutions?

A. Yes, sir.

61. Marking it Wright No. 1?

A. I will.

62. Turn to page 302, under the date of Sept. 20th, 1921, and read what it says with reference to the stokers installed by the Lewis Douglas Morton Company, who had been in this contract.

A. "Statements from the Lewis Douglas Morton Co., which company installed the stokers at the Central State Hospital at Lakeland and the State Houses of Reform, claiming losses on the jobs and asking additional compensation, were referred to F. M. Sackett for his consideration."

63. Turn to the minutes of January 6th, 1922, and read what they say about the same thing.

A. "Mr. Morton has presented a claim for additional compensation at the House of Reform, amounting to $1,051.41, as per the accompanying statement. In support of the statement, Mr. Morton submits sworn affidavits as to his actual expenses incurred for material and labor amounting to

$2,189.40, and $437.73 for profit and overhead, a total of $2,627.13. The amount paid him to date is $1,575.00. I recommend for payment, which recommendation is approved by the consulting engineer, his expenditures as exhibited by the above named affidavits, plus 10% profit, or an additional and final payment of $833.34.

"He has presented a claim for additional compensation at the Central State Hospital amounting to $3,800.47, as per the accompanying statement. In support of the statement, Mr. Morton submits sworn affidavits as to his actual expenses incurred for material and labor of $10,490.39 plus profit and overhead of $2,098.08, a total of $12,588.47. The amount paid him to date is $8,788.00. I recommend for payment, in which recommendation the consulting engineer concurs, the actual cost of material and labor, $10,490.39, plus a profit and overhead of 10%, $1,049.04, or a balance of $2,751.43.

"In support of my recommendation I submit letter dated Aug. 24th, 1921, from Dr. Jillson, and one dated Aug. 29th, 1921, from Major Hickman. Upon motion duly seconded the recommendation of the commissioner was approved and it was ordered that Mr. Morton be paid upon the basis recommended. (Copies of affidavits, letters, etc., referred to above will be found in the file of the board on this subject.)

64. Did you run through the book to see in 1923 how many meetings members of this board had during said year?

A. Yes; the period of these meetings cover the calendar beginning Jan. 1st, 1923 and ending Dec. 31st. 1923.

65. How many meetings did they have?

A. Fourteen.

66. Did you examine the minutes of the board to see the number of men paroled from the beginning of the present board, March 9th, 1920, to June 30th, 1923? If so, how many were there?

A. The minutes show that from Nov. 27th, 1922, 556

men were paroled from the beginning of the present board, March 9th, 1920.

57. How many for murder and manslaughter?

A. One hundred and seventy-three were for murder and manslaughter, and 42 for rape and other crimes.

58. Have you taken from the Auditor's books the amount of salaries paid employes for the six years, 1918 to 1923, inclusive, three years with the old board and three years with the present board?

A. Yes, sir.

59. If there is any difference in the amount paid for these years ahead of the time the Board of Charities and Corrections took charge and the last three years, or the first three years after they took charge, in amount of salaries paid to employes, state about that.

A. The record shows that for the fiscal years ending June 30th, 1918, 1919 and 1920, for employes in the office of the Board of Control the salaries were $7,800.00 each year. The salaries for 1921, 1922 and 1923 for the employes under the present board were as follows:

1921	$16,268.40
1922	$35,993.86
1923	$40,465.05

60. State the difference in the amount of salaries paid in the three years prior to the present board's control and the three years next after they took control at the different institutions.

A. An increase of $514,311.44 in salaries at the institutions; all salaries paid.

And further the witness sayeth not.

This was all the evidence heard at this time and place, and was the final session at which evidence was taken by this investigating committee under authority of the resolution set out in the beginning hereof.

Ordered, that said report and evidence be printed and spread upon the Journal of this House.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 206. An act to provide for the construction of sewers in cities of the fourth class, and to provide for the payment for the same, and repealing subsection 9 of section 3490, Kentucky Statutes, relating thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the board of council of cities of the fourth class may construct or reconstruct, maintain, altar, repair or change sewers along or under any of the streets, alleys or highways of the city or such other rights of way as it may acquire, and may assess the entire cost, including the construction of intersections of the same, to an amount not exceeding $1.00 per front foot of the abutting property, upon the lots and lands bounding or abutting upon said streets, alleys or highways in, under and along which the sewers shall have been constructed. The cost of the construction of sewers, not exceeding said sum of $1.00 per front foot of the abutting property, shall be apportioned equally on the said abutting lot owners according to the front or abutting feet. When the amount of the quotient, after dividing the entire cost of construction of the sewer as estimated and computed to the board of council by the engineer by the front or abutting feet, exceeds the sum of $1.00 per front or abutting foot, then and in that event the entire cost of construction of said sewer shall be assessed upon the lots and lands in the district of said sewer which may be benefited thereby according to the benefits received, and the said district shall

be defined before the improvement is made, and in every such case the council shall, by ordinance, fix and determine the amount of tax to be levied on the several lots or lands so benefited.

The board of council may, however, out of the general fund, contribute and pay toward the construction of such sewer such part of the cost thereof as may to the council seem proper. The tax provided for in this section shall be a lien upon said abutting property or benefiting property as the case may be, and may be collected and enforced as street improvement liens are collected and enforced, but the amount of sewer tax assessed against any lot or land shall, in no event, exceed $1.00 per front or abutting foot. Nothing herein shall be so construed as to prevent the board of council from paying for all or any part of any sewer or sewers constructed under this act. No resolution declaring the necessity for same shall be required. The ordinance shall be passed at a regular meeting of the council and shall be voted for by as many as two-thirds of the board.

The construction of such sewer system may include sewage disposal plants, mains and laterals for the common use and benefit of all the sewers of said city, the cost thereof to be included in and be a part of the total cost of said sewer construction. In the construction of such system, the city may incorporate therein any sewers which have been heretofore constructed which, in the judgment of the board of council, may be proper and suitable for such purpose, and in such event a propert and equitable credit or abatement shall be made on account thereof to the property or the property owners served by such sewers, where same was constructed by such property owner.

The contract for the construction of such improvement shall be let upon competitive bidding to the lowest and best bidder, but same shall not be done until after advertisement thereof shall have been published at least once in a newspaper of said city ten days prior to the awarding of such contract

and such other advertisement as the board of council may provide in the ordinance. The contractor shall be required by the city to give bond for the faithful discharge of his contract with approved surety thereon.

Upon the completion of the improvement under such ordinance, the engineer for the city shall make the estimate and apportionment of cost to each property owner therein and submit the same to the board of council of such city at a regular meeting and file it with the clerk thereof. The board of council shall then, by order, provide a time and place for a hearing to be had upon said estimate which shall be published at least once in a newspaper of said city ten days before the time so fixed by the council, and the persons affected thereby shall lodge with the clerk of the city written protest of complaint, if any, relative thereto or relative to any other matter concerning said improvement or the proceedings affecting same, and the same shall be considered and disposed of by the board of council at the time and place designated in such notice before the estimate and apportionment aforesaid is approved. The board of council shall have power at such hearing to make such corrections or adjustments in the estimate or apportionment of cost or relative to any other matter concerning the improvement or proceedings affecting the same as may, in the judgment of such body, be just and equitable, and the same shall be entirely in their discretion, and their judgment thereupon shall be conclusive and binding upon all parties except in case of actual fraud upon the part of such board of council.

When such estimate or apportionment is approved by the board of council, the same shall, as of that date, become a lien upon the property against which the same is assessed superior to all liens prior or subsequent except state, county and city general taxes and of equal dignity with other improvement liens and shall become due and payable at once. A warrant of even date with the approval of said apportionment in such form as may be prescribed by the city shall be

issued and delivered by the city clerk to the contractor against each property owner and shall bear interest from the date thereof at the rate of six per cent, and if not paid within thirty days after said date, a penalty of six per centum there shall be added thereto. Such liens may be enforced by a proceedings in equity in the circuit court of said county, in which proceedings any and all property owners subjected to lien by the same contract may be included as defendants, and such liens enforced against each separate piece of property in accordance with the amount due by each property owner. In such proceedings it shall only be necessary to allege that the improvement was made and the cost thereof apportioned pursuant to ordinance and contracts adopted and made by the city without pleading the same at length, and the warrant filed with the petition in the case as part thereof shall be prima facie evidence that all steps necessary to perfect the lien against the property have been duly taken, and the board of council, at all times, have power and discretion and it shall be its duty to make any orders or changes or corrections and to take any steps that may be necessary to perfect and preserve said lien, and such lien may not be defeated by reason of any error, omission, oversight or failure, jurisdictional or otherwise, on the part of the city, its board of council, agent or employes, or any other person performing any functions in connection therewith if the improvement has been constructed and accepted substantially as provided either by the ordinance or the contract. If the apportionment be not made in the name of the true owner, the statute of limitations shall not begin to run until it is so made.

The board of council may provide, in ordinance for the construction of such system, that the city shall pay the entire cost of the intersections or such cost may be apportioned to the property owners. The city council may provide for the payment of a part of said cost of construction and the balance by the property owners in the manner hereinbefore

set out. Any outlying sewer districts subsequently improved, upon connection with the system, shall pay for the cost thereof as the council may, by ordinance, fix, which shall be ratably distributed and assessed against the property therein and collected with the cost of sewering. Such additional district and said sum shall be kept separate and applied only to the maintenance and upkeep of said sewer system in order to equalize the cost of such disposal plants and mains.

§ 2. The board of council may provide, by the ordinances requiring the construction of such improvement, that the same shall be done upon the ten year or other annual installment payment plan, and in such event, when such improvements shall have been completed and the estimate of the cost thereof approved, the board of council shall, by ordinance, apportion such cost as hereinbefore provided and levy a tax against the property affected thereby for the payment thereof upon such annual installment payment plan, and all subsequent proceedings relative thereto shall be had and taken under and controlled by the provisions of section 3575 and 3577 of the Kentucky Statutes, Vol. 3, Carroll's edition, 1918, and being sections 7 and 8 of the Acts of the General Assembly of the State of Kentucky at its 1916 session, the title of said act being "An act to amend and re-enact sections 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577 and 3578 of the Kentucky Statutes relating to the control and improvement of public streets, alleys, sidewalks, roads, lanes, avenues, highways and thoroughfores in cities of the fourth class," and same being chapter 113 of said Acts, and appearing on page 675 thereof; and all such procedure provided for in said act shall apply to and become a part of this act as to the carrying out of the annual installment payment plan and the issuance of bonds as provided by said sections 7 and 8, and said sections shall be followed in every particular.

§ 3. The said city shall have the right to purchase rights of way wherever same may be necessary for mains and

laterals, and lands for disposal plants and for rights of way to such disposal plants, and in the event agreement can not be reached with owners of such lands for the same, it shall have the right to condemn such land, such condemnation proceedings to be conducted in the same manner and governed by the same law as provided by law for condemning land for railroad purposes in the State of Kentucky.

§ 4. In cities which may not have a city engineer, all duties, power and authority given city engineers in this act may be performed and exercised by such other officer, committee or board as may be, by law or authority of the board of council, clothed with such power and authority. Where fourth class cities have adopted the commission form of government, the duties herein imposed upon the board of council shall be performed by the board of commissioners of such city.

§ 5. That subsection 9 of section 3490, Kentucky Statutes and all other acts or parts of acts in conflict herewith are hereby repealed.

§ 6. Whereas, many cities of the fourth class in the Commonwealth of Kentucky, and the health of the respective communities are endangered by reason of lack of sewer facilities, an emergency is declared to exist, and this act shall take effect from and after its passage.

Mr. Jolly offered the following amendment to said bill, viz.:

Amend S. B. 206, page 1, line 6 of the printed bill by striking out after the word "exceeding" the figures "$1.00" and inserting in lieu thereof the figures "$2.00."

Also on page, 2, line 14, by striking out the word "$1.00" and inserting in lieu thereof the figures "$2.00."

Also page 2, line 28, by striking out the words "$1.00" and inserting in lieu thereof "$2.00."

Said amendments were disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length be dispensed with, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz..

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
A. J. Baldridge
J. H. Baughman
L. D. Bax
Homer Beliles
C. W. Bennett
J. E. Bickett
Wm. H. Bornhorst
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
J. G. Campbell
R. J. Cain
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day.
G. Givens Dixon
J. R. Dorman
E. J. Doss
G. L. Drury
H. C. Duffy
Wm. M. Duncan
D. E. Edwards
J. O. Evans
H. M. Fultz
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
H. C. Hawkins
R. O. Huntsman
Hector Johnson
J. Roy Johnson
D. C. Jones
H. J. Kegley
T. H. King
T. J. Knight
Leon P. Lewis
Lerov Lewis
Martin Light
J. T. Linton
J. Will McFarlin
W. J. McMurry
R. D. McMurtry
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
E. E. Palmore
J. J. Patterson
G. L. Perryman
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
F. L. Strange
H. Q. Thompson
D. D. Thornberry
W. S. Tinsley
N. I. Toombs

J. Wood Vance	W. S. Wallen	W. D. Watkins
C. D. Vincent	E. C. Walker	F. E. Wilson

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Resolved, that the title thereof be as aforesaid.

Mr. Drury moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 187. An act relating to revenue and taxation, imposing an excise or license tax on gasoline and all other liquid fuels, including all liquids ordinarily, practically and commercially usable in internal combustion engines for the generation of power, and all distillates of, and condensates from petroleum, natural gas, coal, coal tar, vegetable ferments and from all other products, so usable and sold in this Commonwealth at wholesale, as the words "at wholesale" are defined in this act; provided the term "liquid fuels" shall include kerosene, fuel oil and crude oil only when used as a motor vehicle fuel upon any public highway; and providing for the collection of such tax, the distribution and use of the revenue derived therefrom the administration of said law, fixing fines and penalties for the violation of this act and repealing the present gasoline tax law, which is contained in chapter 93 of the Acts of the General Assembly of 1920, and chapter 90 of the Acts of the General Assembly of 1922.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the word "gasoline," as used in this act, shall include all liquid fuels, including liquids ordinarily, practically and commercially usable in internal combustion engines for the generation of power and all distillates of, and condensates from petroleum, natural gas, coal, coal tar, vegetable ferments, and all other products, so usable and sold in this Commonweath at wholesale, as the words "at wholesale" are defined herein; provided the term "liquid fuels" shall include kerosene, fuel oil and crude oil only when used as a motor vehicle fuel upon any public highway. As state tax of three (3c) cents per gallon is hereby imposed on all gasoline, as defined herein, sold in this Commonwealth at wholesale, as the words "at wholesale" are hereinafter defined.

The tax hereby provided for shall be paid by the person, firm, association or corporation so selling gasoline, and shall be paid by said person, firm, association or corporation into the general fund of the state treasury in the manner and within the time hereinafter specified.

The words "at wholesale," as used in this act, shall be held and construed to mean and include any and all sales made for the purpose of re-sale or distribution, or for use, and, as well, the gasoline furnished or supplied for distribution within this state, whether the distributor be the same person who so furnished the same, his agent or employe, or another person; and also to mean and include any person who shall purchase or obtain such gasoline without the state and sell or distribute or use the same within the state. Provided, that nothing herein contained shall be construed as authorizing or requiring the collection of such tax upon any gasoline after the same shall have been already once taxed under the provisions of this act.

§ 2. All taxes collected under the provisions of this act shall be paid into the state treasury, and shall be used

only for the purpose of the construction, reconstruction, maintenance and repair of roads and highways, and for the payment of the interest on and for the creation of a sinking fund for the liquidation of state bonds issued for road purposes.

§ 3. Every person, or the treasurer or other proper officer or agent of every association, copartnership or corporation selling gasoline at wholesale, as defined herein, shall keep and preserve an accurate record of all such sales, distribution and uses of gasoline, and shall on or before the last day of each month transmit to the State Tax Commission a statement, under oath or affirmation, on such forms as the State Tax Commission shall prescribe, of the total number of gallons of gasoline sold, distributed or used in each county of the state from their respective place or places of business so registered under the provisions of section 7 hereof during the preceding calendar month and made taxable by this act, and shall accompany said report by a certified or cashier's check, payable to the State Treasurer of Kentucky, for the amount of tax due for such preceding calendar month.

§ 4. If any such person, association, copartnership or corporation neglects or refuses to make said return, or to pay the tax at the time hereinafter provided, the amount thereof, with an addition of twenty per centum thereof per month for the period of delinquency, shall be collected on an account settled by the State Tax Commission, as other taxes are settled and collected; and if collected by proceedings in any court, an additional penalty of twenty per centum shall be collected as authorized to be collected in revenue agents' proceedings under section 4263-4 of the Kentucky Statutes. The said twenty per centum per month penalty thereon shall be paid into the state treasury as part of the tax, and the twenty per centum penalty collected in revenue agents' proceedings shall be distributed as provided in section 4263-4 of the Kentucky Statutes.

§ 5. The State Tax Commission, or any assistant, agent or representative thereof, appointed in writing by it, is hereby authorized to examine the books, records, papers, files and equipment of any person, association, copartnership or corporation pertaining to the business made taxable by this act, and to that end shall have the power to examine witnesses to verify the accuracy of any return made under the provisions of this act, or to ascertain whether or not any tax is due by any person, association, copartnership or corporation under the provisions of this act, and, in the collection of said tax, the State Tax Commission shall have the power to institute legal proceedings for the purpose of ascertaining the amount of tax due and the collection thereof with the penalties thereon, and the State Tax Commission shall be vested with all the powers under the law of the state for the collection of taxes; but any information gained by the State Tax Commission, or any assistant, agent or representative thereof, as a result of the reports, investigations or verifications herein required to be made, shall be confidential and any person divulging such information shall be guilty of a misdemeanor, and, upon conviction, shall be sentenced to pay a fine of not exceeding five hundred ($500.00) dollars; provided, however, that this prohibition shall not extent to information required in prosecutions for making false reports or returns or in the preparation and prosecution of legal poceedings for the collection of any tax due under the provisions of this act, or any prosecutions for any other infraction of the tax laws of this state.

If any witness shall fail or refuse to appear at the request of the State Tax Commission, or refuse access to any books, records, files, papers or equipment, the State Tax Commission shall certify such fact and the name of the witness or witnesses, so failing and refusing to appear, or refusing access to any books, records, papers, files or equipment to the circuit court of the county having jurisdiction of the party, and said court shall thereupon issue a summons for

the said party to appear before it at a place designated within the jurisdiction of the court on a day fixed, and give such evidence and open for inspection such books, records, files and papers as may be required for the purpose of ascertaining whether or not any return so made is true and correct, or whether or not any person, association, copartnership or corporation has failed or refused to make a true and correct return under the provisions of this law; and the circuit court shall have all the power of a court of equity in punishing for contempt in any such proceeding.

In order that the State Tax Commission may have additional means of checking up the accuracy of the reports made, and determining the amount of tax due, by any person, association, copartnership or corporation, the records, books and other documents of common carriers, relative to the transportation of gasoline, are hereby declared to be accessible to the State Tax Commission.

§ 6. Any person, association, copartnership or corporation, or the officers, directors, trustees or members of any association, copartnership or corporation, who shall fail, neglect or refuse to make the returns and to pay the tax herein prescribed, or who shall refuse to permit the State Tax Commission, its assistants, agents or representatives, appointed by it in writing, to examine the books, records, papers, files and equipment of such person, association, copartnership or corporation pertaining to the business made taxable by this act, or who makes any incomplete, false or fraudulent return hereunder, or who does, or attempts to do, anything whatsoever to avoid a full disclosure of the amount of business done, or to avoid the payment of the whole or any part of the tax or penalties due, shall be guilty of a misdemeanor, and upon conviction, shall be fined not exceeding one thousand ($1,000.00) dollars, and in the case of an individual, he may be imprisoned in the county jail not exceeding six months, or both so fined and imprisoned. Such penalty shall

be in addition to the penalty imposed hereinbefore in section 4 of this act.

§ 7. All wholesale dealers in gasoline, as defined in this act, engaged in such business in this state at the time this act shall go into effect, shall within thirty days thereafter, and all wholesale dealers in gasoline, as defined herein, engaging in the transaction of such business thereafter, shall, prior to the commencement of such business, file a duly acknowledged certificate with the State Tax Commission on a form prescribed, prepared and furnished by it, which will set forth the name under which such dealer transacts or intends to transact such business with the State of Kentucky, and the place of business of such dealer, and, if such dealer has more than one place of business within the state, the places of each business and address of the principal place of business within the state; if such dealer is a firm, copartnership or association, the names and addresses of such persons constituting such firm, copartnership or association; and if a corporation, the names and addresses of the principal officers thereof, and such other information as may be required of it. No wholesale dealer, as herein defined, shall, after the date this act becomes effective, sell any gasoline as herein defined, until such certificate is filed as required by this act, nor shall any dealer engaging in such business subsequent to the passage of this act commence such business without first filing such certificate with the State Tax Commission, and any change in any firm, copartnership or association shall be reported; and any dealer failing to comply with the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred ($100.00) dollars, nor more than one thousand ($1,000.00) dollars.

§ 8. It shall be the duty of the State Tax Commission to administer and enforce the provisions of this act, and it is hereby authorized and empowered to prescribe and furnish all blanks, forms and reports necessary in carrying out

the provisions of this act. It shall certify each month to the State Auditor the total amount of tax due from each wholesale dealer during the preceding month under the provisions of this act, and accompany said certication by the checks received by it for the payment of said tax.

§ 9. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional, the decisions of the courts shall not affect or impair any of the remaining provisions of this act. It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein.

§ 10. All of chapter 93 of the Acts of the General Assembly of 1920, and all of the provisions of chapter 90 of the Acts of the General Assembly of 1922, are hereby repealed, and this act is enacted in lieu of all of said provisions, and shall embrace all of the law of this Commonwealth imposing any tax upon gasoline as defined herein.

Mr. Leon P. Lewis offered the following amendment to said bill, viz.:

Amend H. B. 187 by striking from section 2 thereof, in lines 5 and 6, of pages 2 and 3 of the printed bill, the following words: "issued for road purposes," and inserting in lieu thereof the words, "the purpose of the issue of which includes the construction or maintenance of roads."

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
S. A. Blackburn
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
J. G. Campbell
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
G. Givens Dixon
J. R. Dorman
F. J. Doss
G. L. Drury
H. C. Duffy
Wm. M. Duncan
D. E. Edwards
J. O. Evans
H. M. Fultz
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
H. C. Hawkins
J. W. Howard
R. O. Huntsman
J. Roy Johnson
Hector Johnson
A. J. Jolly
D. C. Jones
H. J. Kegley
T. H. King
T. J. Knight
Oscar Leibson
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
E. E. Palmore
J. J. Patterson
G. L. Perryman
H. A. Pulliam
V. H. Redwine
J. F. Reed
J. E. Robbins
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
F. L. Strange
D. D. Thornberry
N. I. Toombs
J. Wood Vance
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

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Those who voted in the negative were—

W. L. Agee
W. B. Ardery
J. Will McFarlin
Arthur Saunders
H. Q. Thompson
W. S. Tinsley
C. D. Vincent

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Resolved, that the title thereof be as aforesaid.

Mr. Drury moved that the vote by which said bill was passed be reconsidered and that motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 104. An act prescribing the effect of appeals from orders of judgments of trial courts on motions to quash process or officers returns thereon.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the taking of an appeal from an order or judgment of any trial court overruling a motion to quash a summons or the officers' return of service thereon shall not constitute an entry of appearance in said suit in any court by the appellant.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. B. Ardery	L. D. Bax	Homer Beliles
J. H. Baughman	W. B. Belknap	C. W. Bennett

Wm. H. Bornhorst
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
J. G. Campbell
R. J. Cain
Sherman Chasteen
Lee Clark
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
G. Givens Dixon
E. J. Doss
G. L. Drury
H. C. Duffy
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
H. C. Hawkins
R. O. Huntsman
L. J. Jeter
J. Roy Johnson
A. J. Jolly
D. C. Jones
T. H. King
T. J. Knight
Oscar Leibson
Leon P. Lewis
Leroy Lewis
J. Will McFarlin
W. J. McMurry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
E. E. Palmore
J. J. Patterson
G. L. Perryman
H. A. Pulliam
J. F. Reed
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
H. Q. Thompson
N. I. Toombs
C. D. Vincent
W. S. Wallen
E. C. Walker
C. Westerfield
F. E. Wilson

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Those who voted in the negative were—

W. L. Agee
Hector Johnson
H. J. Kegley
J. L. Richardson

—4

Resolved, that the title thereof be as aforesaid.

Mr. Drury moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 372. An act to repeal and re-enact section 75 of Carroll's Criminal Code of Practice, sixth edition, 1919.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section seventy-five of Carroll's Criminal Code of Practice, sixth edition, 1919, be repealed and re-enacted, so that said section, when re-enacted shall read as follows:

"In all cases in the circuit court, when the defendant shall have been convicted of a felony, except in cases where the jury has inflicted the death penalty, he shall be permitted to execute bond pending his appeal to the Court of Appeals.

The substance of such bond shall be that he will render himself amenable to the orders and process of the courts and if his case is affirmed, he will surrender himself to the sheriff of the county of his conviction within thirty days after the affirmance of his case has been final, to be taken by such sheriff to prison as provided in the judgment of conviction, or if his case shall be revised, he will appear in the next circuit court in which he was convicted, which does not begin within less than ten days of the reversal of the judgment of the circuit court, again to answer said charge.

This bond shall be for a penal sum sufficient reasonably to secure the defendant's appearance, and it may be executed before the circuit court or the trial judge at any time before the record is to be filed in the Court of Appeals, or thereafter it may be executed before the Clerk of the Court of Appeals by order of said court at any time before his case is submitted. In either case the bond may be adjudged to be forfeited by order of the circuit court for non-compliance with its terms by the defendant."

Mr. Robbins offered the following amendment to said bill, viz.:

Amend H. B. 372, in line 6, after the word "penalty," by adding the words "or life imprisonment" before the word "he."

Said amendment wsa adopted.

Mr. Harry Miller offered the following amendment to said bill, viz.:

Amend section 1 of H. B. 372 by striking from line 13 of the printed bill the word "revised" and by adding in lieu thereof the ford "reversed."

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	J. E. Bickett	Lee Clark
W. B. Ardery	S. A. Blackburn	F. W. Collings
A. J. Baldridge	J. F. Bosworth	L. F. Coomes
J. H. Baughman	W. J. Brandenburg	J. L. Cushing
L. D. Bax	W. B. Bush	B. F. Day
W. B. Belknap	Allen B. Cammack	G. Givens Dixon
Homer Beliles	J. G. Campbell	J. R. Dorman
C. W. Bennett	Sherman Chasteen	E. J. Doss

G. L. Drury
H. C. Duffy
Wm. M. Duncan
D. E. Edwards
H. M. Fultz
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
H. C. Hawkins
J. W. Howard
R. O. Huntsman
J. Roy Johnson
Hector Johnson
A. J. Jolly
D. C. Jones
H. J. Kegley
T. H. King
T. J. Knight
Oscar Leibson
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
J. Will McFarlin
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
E. E. Palmore
J. J. Patterson
G. L. Perryman
J. F. Reed
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
F. L. Strange
H. Q. Thompson
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

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Resolved, that the title thereof be as aforesaid.

Mr. Drury moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Richardson moved that when the House adjourn today, it adjourn out of respect to Susan Buckingham Merwin.

Said motion was agreed to.

Mr. Drury moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Haselwood moved that a leave of absence be granted to Mr. Layman.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 373. An act relating to idiots and lunatics.

Together with a committee amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. A person having the care, custody or charge of an idiot may, by conforming to the provisions of this act, have an allowance to a pauper idiot of seventy-five ($75.00) dollars per annum, to be paid out of the state treasury to the committee of each of such idiots so adjudged and reported, or such person, or any public officer or person interested may proceed to have any idiot provided for at the Feeble-Minded Institute or other public institution as may now or hereafter be provided for.

§ 2. If any person be of unsound mind it shall be the duty of the circuit or county court of the county in which he resides, upon application of the attorney for the Commonwealth, or, if he be absent, of the county attorney, to cause an inquest by a jury to be held in open court to inquire into the fact. The court shall appoint some member of the bar to represent and protect the interests and rights of the person alleged to be of unsound mind, and it shall also be the special duty of the attorney for the Commonwealth, or for the county, to prevent the finding of any person as an idiot

or lunatic who, in his opinion, is not such; or the finding of any person an idiot who is a lunatic.

§ 3. No money shall be drawn from the state treasury for the support of an idiot until he shall have been found to be such by the verdict of a jury in the circuit court, as provided for in this chapter.

§ 4. Idiots who are paupers, and who, in the opinion of the court, can be safely and properly kept by a committee within the county, may, by order of the court, be committed to the custody of a committee or other person.

§ 5. A person is a pauper idiot or lunatic within the meaning of this chapter, who has been found by the verdict of a jury to be an idiot or lunatic, and that he has no estate sufficient for his support; and also that his parents, if alive, have not sufficient estate to maintain him, and if a wife, that her husband has not sufficient estate to support her, and that he is unable to work for a support; and the order of the court making and certifying the annual allowance for the support of the idiot, shall be made on proof, and so state, and shall also state that the idiot is then alive, and a pauper. Upon such certificate, if a copy of the inquisition required to be filed by the provisions of this chapter has been filed with the Auditor, he shall issue his warrant upon the treasury for the amount allowed by law.

§ 6. No allowance shall be made for the maintenance of any person under the age of eight years, nor for one who at times, by epileptic fits or other malady, enfeebled in mind.

§ 7. Every fifth year after the first inquest, before any order shall be granted by the court for the maintenance of an idiot out of his own estate, or out of the state treasury, the idiot, in like manner, shall be brought into court, or his presence dispensed with, for the reasons herein allowed; and the court shall cause the jury to be impaneled, who shall be sworn as provided in this article; and also to inquire, and true report to make from the evidence, whether the person whom they have in charge has before been found, by the ver-

dict of a jury and judgment of a court, an idiot, and whether and what change, if any, has taken place in his mind, physical condition, and estate, since the original inquest.

§ 8. A copy certified by the clerk of each original and subsequent inquisition, shall be transmitted to the Auditor of Public Accounts; without such transcript the Auditor shall issue no warrant for the amount allowed by the court.

§ 9. The circuit court clerk of each county shall transmit to the Auditor, on or before the tenth of September in each year, a list of the pauper idiots in his county; if he fails to do so without good cause he shall be fined fifty dollars.

Said amendment is as follows, viz.:

Amend H. B. 373 by striking out all of section 1 and substituting in lieu thereof the following:

Section 1. A person having the care, custody or charge of an idiot may be conforming to the provisions of this act have an allowance to a pauper idiot of $75.00 per annum to be paid as follows: $37.50 out of the state treasury, to be properly certified by the court holding said inquest, to the Auditor for payment, and $37.50 of said amount to be allowed and properly certified by the court holding said inquest, to the fiscal court of said county in which said inquest is held, for payment.

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	G. L. Drury	G. W. Morgan
A. J. Baldridge	Wm. M. Duncan	J. L. Morgan
L. D. Bax	D. E. Edwards	Wm. J. Moore
Homer Belilés	H. M. Fultz	E. E. Palmore
C. W. Bennett	O. C. Gartin	J. J. Patterson
J. E. Bickett	T. H. Golden	G. L. Perryman
S. A. Blackburn	J. E. Hadden	V. H. Redwine
Wm. H. Bornhorst	H. C. Hawkins	J. E. Robbins
J. F. Bosworth	J. W. Howard	G. W. Shadoan
W. J. Brandenburg	R. O. Huntsman	Lee L. Simons
W. B. Bush	Hector Johnson	W. M. Simpson
Allen B. Cammack	J. Roy Johnson	Geo. W. Smith
J. G. Campbell	A. J. Jolly	H. Q. Thompson
R. J. Cain	H. J. Kegley	D. D. Thornberry
Sherman Chasteen	T. H. King	W. S. Tinsley
Lee Clark	T. J. Knight	N. I. Toombs
Sam Cole	Leroy Lewis	C. D. Vincent
F. W. Collings	Martin Light	W. S. Wallen
L. F. Coomes	J. T. Linton	E. C. Walker
J. L. Cushing	W. J. McMurry	W. D. Watkins
B. F. Day	R. D. McMurtry	C. Westerfield
G. Givens Dixon	J. L. Manning	F. E. Wilson
J. R. Dorman	J. W. Martin	
E. J. Doss	E. B. Miller	

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Those who voted in the negative were—

W. B. Belknap	W. R. Haselwood	J. Will McFarlin
H. C. Duffy	Oscar Leibson	Chas. A. Nelson

—6

Resolved, that the title thereof be as aforesaid.

Mr. Drury moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 13. An act entitled "An act to repeal an act entitled 'An act authorizing cities of the first and second classes to create a city planning commission, with power to make a survey and plan of the city and of land contiguous or related thereto to provide for the regulation of the height, area and use of buildings, and for zoning of city, and with power to approve the recording of plots and subdivisions of land.' "

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act entitled "An act authorizing cities of the first and second classes to create a city planning commission, with power to make a survey and plan of the city and of land contiguous or related thereto; to provide for the regulation of the height, area and use of buildings and for zoning of the city, with the power to approve the recording of plots and subdivisions of land," being chapter 99 of the Session Acts of the General Assembly of 1922 thereof and which was approved by the Governor March 24th, 1922, and subsequently became a law, be and the same is hereby repealed.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Mr. Simons offered the following amendments to said bill, viz.:

Amend section 1 of S. B. 13, in the House, by adding

after the word "that," which appears in line 1 of said section, the following words: "that part of."

Amend section 1 of S. B. 13, in the House, by adding after the word "law," which appears in line 9 of said section the following words. "as applies to cities of the first class."

Amend S. B. 13, in the House, by adding thereto section 1½, which said new section shall read in words and figures as follows, to wit:

"Section 1½. No part of this act shall be construed to repeal the present law as the same is now applicable to cities of the second class, and the said law as to cities of the second class shall remain in full force and effect."

Amend the title to S. B. 13, in the House, by adding after the word "repeal," in the first line of the title of the printed bill, the following words: "that part of," and by adding after the word "land," which is the last word in the title in the printed bill, the following words: "as applies to cities of the first class," so that when amended said title shall read as follows:

An act entitled an act to repeal that part of an act entitled "An act authorizing cities of the first and second classes to create a city planning commission, with power to make a survey and plan of the city and of land contiguous or related thereto, to provide for the regulation of height, area and use of buildings and for zoning of city and with power to approve the recording of plots and subdivisions of land, as applies to cities of the first class."

Said amendments were each and severally adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
S. A. Blackburn
Wm. H. Bornhorst
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
J. G. Campbell
R. J. Cain
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
G. Givens Dixon
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
H. M. Fultz
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
H. C. Hawkins
J. W. Howard
R. O. Huntsman
Hector Johnson
A. J. Jolly
D. C. Jones
H. J. Kegley
T. H. King
T. J. Knight
Oscar Leibson
Leon P. Lewis
Martin Light
J. T. Linton
J. Will McFarlin
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
Chas. A. Nelson
E. E. Palmore
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. F. Reed
J. E. Robbins
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
F. L. Strange
H. Q. Thompson
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

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Resolved, that the title thereof be as aforesaid.

Mr. Drury moved that the vote by which said bill as amended was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 62. An act to amend section 2260 of Carroll's 1922 edition of the Kentucky Statutes, relating to the fee of jurors.

Together with a committee amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 2260 of Carroll's 1922 edition of the Kentucky Statutes be and the same is hereby amended by the substitution of the words "three dollars" for the words "two dollars," in the third line, and the substitution of the words "two dollars" for the words "one dollar" in line six, so that when the said section 2260 is amended and re-enacted it shall read as follows:

Section 2260. Pay in Circuit Courts and Inferior Courts —Jury Fee.—Jurors in the circuit courts shall receive three dollars ($3.00) per day, and when kept together overnight in the custody of the sheriff, shall receive two dollars ($2.00) additional for each night they are so kept together; and in courts inferior to circuit courts, fifty cents ($0.50) for each case. In the circuit court a jury fee of four dollars ($4.00) shall be taxed as cost against the unsuccessful party; and in the other courts the cost of a jury shall be paid by the party

demanding the jury and shall be taxed as cost against the unsuccessful party; but in such courts, if the same juror serves on more than two juries in one day, he shall not be allowed anything for such excess.

Said committee amendment is as follows, viz.:

Amend H. B. 62 by striking out after the words "for each case" the following words: "in the circuit Courts a jury fee of four dollars ($4.00) shall be taxed as cost against the unsuccessful party, and in other courts the cost of a jury shall be paid by the party demanding the jury, and shall be taxed as cost against the unsuccessful party; but in such court, if the same juror serves on more than two juries in one day, he shall not be allowed anything for such excess.

Said committee amendment was disagreed to.

Mr. Light offered the following amendment to said bill, viz.:

Amend H. B. 62 by adding after the words "for such excess," in line 17, the following: "pay all jurors 10c per mile one way, from his residence."

Said amendment was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
S. A. Blackburn
Wm. H. Bornhorst
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
J. G. Campbell
R. J. Cain
Sherman Chasteen
Lee Clark
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
G. Givens Dixon
J. R. Dorman
E. J. Doss
G. L. Drury
H. C. Duffy
Wm. M. Duncan
D. E. Edwards
J. O. Evans
H. M. Fultz
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
R. O. Huntsman
J. Roy Johnson
Hector Johnson
A. J. Jolly
D. C. Jones
H. J. Kegley
T. H. King
T. J. Knight
Leon P. Lewis
Leroy Lewis
J. T. Linton
J. Will McFarlin
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
E. E. Palmore
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. F. Reed
J. E. Robbins
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
H. Q. Thompson
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
C. D. Vincent
W. S. Wallen
W. D. Watkins
C. Westerfield
F. E. Wilson

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Those who voted in the negative were—

H. C. Hawkins
Oscar Leibson
Martin Light
F. L. Strange

—4

Resolved, that the title thereof be as aforesaid.

Mr. Drury moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 35. An act creating an armory commission.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 2711a-128, Kentucky Statutes, being section 128 of chapter 43, Acts of 1916, approved March 23. 1916, be and the same is hereby repealed, and that the following be enacted in lieu thereof:

There is hereby created a body corporate to be known as the Armory Commission of Kentucky, the members of which shall be the Governor, who shall be chairman, the Adjutant General, and the three highest ranking officers on the active list of the Kentucky National Guard. Said commission may in its corporate name sue and be sued, contract and be contracted with, acquire real and personal property by gift, purchase or condemnation; and may do all things and exercise all rights and powers reasonably necessary to carry out and perform the duties intended or required by this act.

The members shall serve without compensation, and shall be allowed their reasonable expenses incurred in attending meetings of the commission or while traveling under orders for the performance of duty in connection with the business of said commission.

Said commission shall hold regular meetings at Frankfort on the first Monday in March, June, September and December of each year, and special meetings on call of the Governor, after reasonable notice. A majority of the mem-

bers shall constitute a quorum for the consideration of business, but all contracts and agreements creating liabilities or indebtedness against, or requiring appropriations from the armory fund hereinafter in section 4 provided, shall require the affirmative vote of a majority of all members of the commission. In the absence of the Governor or Adjutant General, the Lieutenant Governor or Assistant Adjutant General may act for them, respectively.

§ 2. The Armory Commission shall provide adequate armories, buildings and grounds for the Kentucky National Guard for its purposes of drill, instruction and administration and for the safekeeping of public property of the state and the United States issued to or for the use of the Kentucky National Guard, including animals, and for such purposes shall be charged with the administration and expenditure of the armory fund hereinafter in section 4 provided. All expenditures from said fund authorized by the commission shall be made upon vouchers authenticated by the Adjutant General or Assistant Adjutant General.

§ 3. The Armory Commission may, either alone or in cooperation with counties, cities or incorporated towns, private corporations, voluntary unincorporated associations or individuals, construct, or acquire, by purchase, contract, lease, gift, donation or condemnation, armories, buildings or grounds suitable for drill, instruction and administration and the safe keeping of public property, and make additions and improvements in or to such armories and facilities, and either alone, or with the like cooperation of others provide heat, light, water, telephone service, and other costs of operation and maintenance, including insurance; Provided, that the cost of construction or of purchase of armories and grounds for the use of one unit shall not exceed $10,000, and $5,000 for each additional unit at the same station and using the same facilities, insofar as such cost shall be charged against the armory fund, provided further that in the discretion of the Armory Commission, these amounts may be in-

creased to $15,000 and $7,500 respectively, for mounted, animal-drawn and motorized units, and provided further, the annual cost of the use of armories, including rental and all costs of operation and maintenance, in so far as such cost may be charged against the armory fund, shall not exceed $2,000 for each unit, and $1,500.00 for each additional unit at the same station and using the same facilities; provided, in the discretion of the Armory Commission, the annual cost of armories and other facilities for mounted and animal-drawn or motorized units may be $2,500 and $3,000 for each additional unit of the same class using the same facilities.

The amount to be appropriated out of the armory fund for the construction and/or acquisition of armories, and for the maintenance and/or rental of armories shall, within the limits hereinabove in this section set forth, be wholly within the discretion of the Armory Commission.

§ 4. There is hereby annually appropriated, out of the general expenditure fund, a sum equal to three (3) cents for each person who was a resident of the state, as shown by each last preceding federal census, to be known as the armory fund, and to be expended by the Armory Commission hereinbefore in section 1 created. Said fund shall be a continuous fund and any balance unexpended at the end of any fiscal year shall remain in, and to the credit of, said fund until expended.

§ 5. The fiscal court of any county, and the governing body of any city or incorporated town, wherein a unit or units of the Kentucky National Guard have been or may hereafter be established, may, either severally, or acting jointly with each other or with the Armory Commission, construct or acquire by purchase, contract, lease, gift, donation or condemnation, grounds and/or buildings which shall be suitable for public assemblages, conventions, exhibitions and entertainments, provided that such buildings or the plans and specifications therefor, are first approved by the Armory Commission as suitable for use as armories by the National

Guard units established or to be established in such county, city or town, and provided further, that aid fiscal court and/or governing body of the city or town shall have contracted with the Armory Commission for the use of such building as an armory by such National Guard unit or units upon terms not inconsistent with this act.

For the purpose of providing necessary funds for the acquisition or construction of such buildings and grounds, and the cost of maintenance and operation thereof, such fiscal court and/or governing body of the city or town is empowered to annually levy and collect a tax not exceeding ten (10) cents on each one hundred dollars ($100) worth of taxable property in such county and/or city or town, as determined by the last regular assessment for county or city taxes; provided, however, if funds received from donations or from earnings from said building, together with rentals received from the Armory Commission, are adequate to provide for all expenses of operation and maintenance, said tax levies may be withheld and appropriated to the general expense fund of the county or city; and provided further, that in event any fiscal court or other governing body of a county has, under preexisting laws, acquired or constructed buildings and grounds suitable for public assemblages, conventions, exhibitions and entertainments, and also for armory purposes, and shall contract with the Armory Commission for the use thereof by National Guard units upon terms not inconsistent with this act, such fiscal court or other governing body of the county may levy and collect necessary taxes for the payment of expenses of operation and maintenance in an amount not to exceed ten (10) cents on each one hundred dollars ($100) worth of taxable property in said county.

§ 6. All property actually used for armory purposes, as hereinabove defined, shall be exempt from all taxation, impost or assessment.

§ 7. The power of condemnation herein granted to the Armory Commission, and to counties, cities and incorporated

towns, shall be exercised in manner prescribed in section 2852, Kentucky Statutes, for the condemnation of property for park purposes in cities of the first class.

§ 8. Wherever in the opinion of the Armory Commission it is practicable to do so, each armory of the National Guard shall contain a room suitable for meetings of associations composed of veterans of the war between the states, the Spanish-American War and the World War, and shall be available for such meetings, under such rules and regulations as may be prescribed by the commanding officer of the National Guard unit or units using such armory.

§ 9. If any section, paragraph, clause or separable provision of this act shall be held to be invalid, such fact shall not affect or render invalid any other section, paragraph, clause or seperable provision of the act, it being the intention of the General Assembly in enacting this act to enact each section, paragraph, clause and provision separately.

§ 10. This act, and all and each of its various sections and provisions, shall be liberally construed in favor of the purposes of the act.

§ 11. All laws, or parts of laws, inconsistent, or in conflict with the provisions of this act are hereby repealed.

§ 12. Because the Court of Appeals of Kentucky has declared unconstitutional section 2711a-128, Kentucky Statutes, and there is no provision in existing laws for armories for the Kentucky National Guard, an emergency is hereby declared to exist, and this act shall take effect on and after its approval by the Governor.

Mr. Drury moved that the House do now resolve itself into the Committee of the Whole for the purpose of hearing Colonel Morrow discuss the merits of said bill.

Said motion was agreed to.

Thereupon the Speaker vacated the Chair and designated Mr. Drury as Chairman of the Committee of the Whole.

After a time, the Speaker having resumed the Chair, Mr. Drury, of the Committee of the Whole, reported progress.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
A. J. Baldridge
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
S. A. Blackburn
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
J. G. Campbell
R. J. Cain
Sherman Chasteen
Sam Cole
F. W. Collings
L. F. Coomes
B. F. Day
G. Givens Dixon
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
H. M. Fultz
O. C. Gartin
T. H. Golden
J. E. Hadden
H. C. Hawkins
J. W. Howard
R. O. Huntsman
Hector Johnson
J. Roy Johnson
D. C. Jones
H. J. Kegley
T. H. King
T. J. Knight
Oscar Leibson
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
R. D. McMurtry
J. L. Manning
E. B. Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
E. E. Palmore
G. L. Perryman
V. H. Redwine
J. F. Reed
J. E. Robbins
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
F. L. Strange
W. S. Tinsley
N. I. Toombs
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

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Those who voted in the negative were—

Wm. H. Bornhorst	J. Will McFarlin	H. Q. Thompson
J. R. Dorman	W. J. McMurry	
A. J. Jolly	J. W. Martin	

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Resolved, that the title thereof be as aforesaid.

Mr. Drury moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Drury moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, MARCH 4, 1924.

The House was opened with prayer by the Reverend F. M. Tinder, of the Christian church of North Middletown, Kentucky.

The roll was called and the following members answered to their names, viz.:

W. L. Agee	J. F. Bosworth	J. L. Cushing
W. B. Ardery	W. J. Brandenburg	B. F. Day
A. J. Baldridge	W. B. Bush	J. R. Dorman
J. H. Baughman	Allen B. Cammack	E. J. Doss
L. D. Bax	J. G. Campbell	G. L. Drury
Homer Beliles	R. J. Cain	H. C. Duffy
C. W. Bennett	Lee Clark	Wm. M. Duncan
J. E. Bickett	Sam Cole	D. E. Edwards
S. A. Blackburn	L. F. Coomes	H. M. Fultz

T. H. Golden	J. Will McFarlin	J. E. Robbins
J. E. Hadden	W. J. McMurry	C. W. Ryans
W. R. Haselwood	R. D. McMurtry	Arthur Saunders
H. C. Hawkins	J. L. Manning	G. W. Shadoan
J. W. Howard	J. W. Martin	Lee L. Simons
R. O. Huntsman	E. B. Miller	W. M. Simpson
L. J. Jeter	Harry Miller	Geo. W. Smith
Hector Johnson	G. W. Morgan	A. W. Stamper
J. Roy Johnson	J. L. Morgan	F. L. Strange
A. J. Jolly	Wm. J. Moore	H. Q. Thompson
H. J. Kegley	E. D. Morris	D. D. Thornberry
T. H. King	Chas. A. Nelson	W. S. Tinsley
T. J. Knight	F. V. Nunnelly	N. I. Toombs
John H. Lawson	E. E. Palmore	M. E. Vaughan
Oscar Leibson	J. J. Patterson	C. D. Vincent
Leon P. Lewis	G. L. Perryman	W. S. Wallen
Leroy Lewis	H. A. Pulliam	E. C. Walker
Martin Light	V. H. Redwine	W. D. Watkins
J. T. Linton	J. F. Reed	C. Westerfield

The reading of the Journal of yesterday's proceedings was dispensed with.

The Clerk produced and read the following telegram, viz.:

Chas. J. Howes, Chief Clerk,
House of Representatives, Frankfort, Ky.

On account of my absence from home for weeks have just received concurrent resolution of General Assembly of Commonwealth of Kentucky, passed January 31 enclosed in your letter February 1, inviting me to address joint session of House of Representatives and Senate of Kentucky, on some date convenient to me, not later than March 5. Please assure members of General Assembly of my profound appreciation of great honor conferred upon me by this invitation. I wish sincerely that it was possible to accept because it would give me very great pleasure to discuss before the General Assem-

bly some of the great problems now confronting the nation. Unfortunately the pressure upon my time and numerous engagements here render it impossible for me to do so. Please convey to the members of the House of Representatives and Senate my grateful thanks for distinction they have accorded me.

(Signed) W. G. McAdoo

Mr. Harry Miller, of the Committee on Rules, introduced the following bills, viz.:

H. B. 584. An act to amend and re-enact section 1 of chapter 96 of the Acts of the General Assembly of 1918, which act is entitled: "An act relating to exemptions of household goods and other personal property to a person with a family, and prescribing the duties of the county clerk in relation thereto, and fixing his compensation."

H. B. 585. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, relating to roads and bridges, and providing for the establishment and designating the primary system of state highways in the Commonwealth of Kentucky by adding thereto an additional project running from Eddyville, Lyon county, Kentucky, to Benton, Marshall county, Kentucky.

Ordered, that said bills be printed and referred to Committee on Rules.

A message was received from the Senate announcing that they had concurred in a resolution which originated in this body of the following title, viz.:

House Resolution memorializing Congress to abolish the federal estate tax.

And that they had passed resolutions which originated in that body of the following titles, viz.:

Resolution authorizing W. P. Burks to sue the Commonwealth of Kentucky.

Ordered, that said resolution be printed and referred to Committee on Rules.

S. Res. 14. A resolution providing for the payment of expenses of contestant and contestee and others in the matter of contest of J. F. Denton, contestant, v. A. A. Demunbrun, contestee, pending and decided in the Senate of the Commonwealth of Kentucky.

Said resolution is as follows, viz.:

A resolution providing for the payment of expenses of contestant and contestee, and others in the matter of contest of J. F. Denton, contestant v. A. A. Demunbrun, contestee, pending and decided in the Senate of the Commonwealth of Kentucky.

1. Whereas, J. F. Denton, of Allen county, Kentucky, instituted and conducted a contest against A. A. Demunbrun, of Edmonson county, Kentucky, for the office of Senator of and from the Eleventh Senatorial District of Kentucky, before the Senate of Kentucky, which contest has been heard and determined, and on the — day of February, 1924, said contest was decided in favor of the contestee, and,

Whereas, it appearing that in instituting, prosecuting and defending said contest both parties to said contest have incurred expenses which were necessary thereto, and that the sums set out in the body of the act represent the expenses of said parties; therefor,

Be in resolved by the Senate of Kentucky, the House of Representatives concurring:

1. That said expenses, fees and charges herein set out and exemplified by accounts filed with the Clerk of the Senate be and the same are now allowed as contingent expenses of the Senate, as follows, to wit:

John D. Carroll, attorney for contestant	$250.00
Morris & Jones, attorneys for contestee	250.00
J. F. Denton, expenses as per account	192.25
A. A. Demunbrun, expenses as per accts	125.00
Miss Louise Sheehy, stenographer as per account	141.00
	$958.25

The Clerk of the Senate is therefore ordered and directed to certify the following to the Auditor of Public Accounts, and upon such certification the Auditor will draw his several warrants upon the treasury of the state in the sums and in favor of the persons herein indicated as follows, to wit:

John D. Carroll, attorney's fees	$250.00
Morris & Jones, attorneys' fees	250.00
J. F. Denton, expenses	192.25
A. A. Demunbrun	125.00
Miss Louise Sheehy	141.00

Said resolution was disagreed to.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. B. Ardery	R. J. Cain	J. W. Howard
Homer Beliles	J. L. Cushing	R. O. Huntsman
Wm. H. Bornhorst	B. F. Day	A. J. Jolly
J. F. Bosworth	G. L. Drury	H. J. Kegley
W. J. Brandenburg	H. C. Duffy	Leroy Lewis
W. B. Bush	Wm. M. Duncan	J. L. Manning
J. G. Campbell	O. C. Gartin	E. B. Miller

Harry Miller	Arthur Saunders	E. C. Walker
J. L. Morgan	D. D. Thornberry	C. Westerfield
G. L. Perryman	C. D. Vincent	F. E. Wilson
H. A. Pulliam	W. S. Wallen	

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Those who voted in the negative were—

A. J. Baldridge	W. R. Haselwood	Leon P. Lewis
J. H. Baughman	H. C. Hawkins	E. D. Morris
W. B. Belknap	L. J. Jeter	Chas. A. Nelson
C. W. Bennett	J. Roy Johnson	F. V. Nunnelly
S. A. Blackburn	D. C. Jones	J. J. Patterson
Allen B. Cammack	T. H. King	J. E. Robbins
Lee Clark	T. J. Knight	G. W. Shadoan
L. F. Coomes	John H. Lawson	W. M. Simpson
J. R. Dorman	Martin Light	A. W. Stamper
E. J. Doss	J. T. Linton	H. Q. Thompson
D. E. Edwards	J. Will McFarlin	W. S. Tinsley
J. O. Evans	W. J. McMurry	N. I. Toombs
H. M. Fultz	J. W. Martin	M. E. Vaughan
T. H. Golden	G. W. Morgan	
J. E. Hadden	Wm. J. Moore	

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Mr. Harry Miller moved that the vote by which said resolution was disagreed to be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

S. Res. 5. Joint resolution for the benefit of Charley Wells, Bernard Wells and Elbridge Wells, of Johnson county, Kentucky, to reimburse each of these parties for services rendered the Commonwealth in 1910.

Said resolution is as follows, viz.:

Whereas, Charley Wells, Bernard Wells and Elbridge

Wells were each severally awarded certificates of the second class to teach in the public schools of Johnson county, Kentucky; and,

Whereas, said certificates were in full force and effect, and when the services of no other teachers were available, the educational board of division No. 3, of Johnson county, Kentucky, at its regular meeting held on a day provided for by statute for that purpose, entered into a contract with the said Charlie Wells, Bernard Wells and Elbridge Wells, employing them to teach school as assistants in the schools of its subdistricts Nos. 6, 8 and 9 respectively, for and during the term of six months, beginning on the 18th day of July, 1910, and as compensation therefor, they and each of them were to receive one-half of the public money drawn by said district for said years; and,

Whereas, they and each of them did teach as assistants in said schools for the term of six months, and monthly reports thereof made, and their services as reported were accepted by the trustees of said district by the chairman of said board of education, and by the superintendent of the public schools of Johnson county, Kentucky; and,

Whereas, neither of the parties aforesaid has received any part of the compensation agreed upon for the services rendered aforesaid, and which amount to two hundred and thirty dollars and eighty-eight cents for Charley Wells and two hundred and seventy-three dollars and thirty-seven cents for Bernard Wells and two hundred and forty-seven dollars and two cents for Elbridge Wells, with interest from the date of aforesaid; and,

Whereas, said amounts were not paid to said parties for the technical reason that neither at the time of the services rendered held a certificate of that class which would have entitled either or each to teach schools as principals; and,

Whereas, said sums of money were repaid into the General School Fund of the State of Kentucky; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Auditor of Public Accounts is hereby directed to draw his warrants on the State Treasurer in favor of McHenry Rhoads, Superintendent of Public Instruction, for the sums of two hundred and thirty dollars and eighty-eight cents and two hundred and seventy-three dollars and thirty-seven cents and two hundred and forty-seven dollars and two cents, with legal interest as aforesaid, to be charged to the general school fund of the State of Kentucky, and that the said sums be paid by the said Superintendent of Public Instruction to the said Charley Wells, Bernard Wells and Elbridge Wells respectively, as money is paid to teachers of the public schools.

Said resolution was adopted.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	J. R. Dorman	Leon P. Lewis
A. J. Baldridge	E. J. Doss	J. T. Linton
W. B. Belknap	G. L. Drury	W. J. McMurry
Homer Beliles	Wm. M. Duncan	J. L. Manning
C. W. Bennett	D. E. Edwards	J. W. Martin
J. E. Bickett	O. C. Gartin	Harry Miller
S. A. Blackburn	T. H. Golden	G. W. Morgan
Wm. H. Bornhorst	W. R. Haselwood	J. L. Morgan
J. F. Bosworth	H. C. Hawkins	Wm. J. Moore
W. J. Brandenburg	J. W. Howard	E. D. Morris
Allen B. Cammack	R. O. Huntsman	F. V. Nunnelly
R. J. Cain	L. J. Jeter	E. E. Palmore
Lee Clark	J. Roy Johnson	J. J. Patterson
Sam Cole	A. J. Jolly	G. L. Perryman
L. F. Coomes	H. J. Kegley	H. A. Pulliam
J. L. Cushing	T. H. King	J. E. Robbins
B. F. Day	T. J. Knight	C. W. Ryans

Arthur Saunders	W. S. Tinsley	E. C. Walker
G. W. Shadoan	N. I. Toombs	C. Westerfield
W. M. Simpson	C. D. Vincent	
H. Q. Thompson	W. S. Wallen	

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Mr. Harry Miller moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 359. An act making an appropriation for completing the monument on the birthplace of Jefferson Davis, at Fairview, Kentucky.

Said bill is as follows, viz.:

Whereas, "The Jefferson Davis Home Association" owns and has improved the birthplace of Jefferson Davis, consisting of a park or tract of nineteen acres of land, more or less, located at Fairview, in Christian and Todd counties, Ky., and has expended a large sum of money in erecting a monument upon said tract with the purpose of presenting said park and tract with the monument and improvements thereon to the Commonwealth of Kentucky; and,

Whereas, the General Assembly of the Commonwealth of Kentucky, by an act approved March 23, 1920 (Acts 1920, chapter 97), created a corporation entitled the "Jefferson Davis Memorial," with power, and for the purpose of securing to the Commonwealth of Kentucky, said birthplace of Jefferson Davis with the monument and improvements thereon, as a public park and in commemoration of one of its distinguished sons; and,

Whereas, it will require the sum of fifteen thousand dollars to complete said monument in order that it may be turned over to the Commonwealth of Kentucky in a completed condition; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby appropriated out of the treasury of the Commonwealth of Kentucky the sum of fifteen thousand dollars, to be used for the purpose of completing the unfinished monument on the birthplace of Jefferson Davis, in Christian and Todd counties, Kentucky, consisting of nineteen acres, more or less, now owned by the "Jefferson Davis Home Association."

§ 2. Whenever it shall appear to the Governor of Kentucky that a deed conveying the fee simple title to said park or tract of nineteen acres, more or less, to the "Jefferson Davis Memorial," incorporated, has been delivered to said "Jefferson Davis Memorial," incorporated, he shall notify the Auditor of Public Accounts of the Commonwealth of Kentucky of that fact, and thereupon said Auditor shall draw his warrant on the Treasurer of the Commonwealth of Kentucky, payable to the "Jefferson Davis Memorial" for said sum of fifteen thousand dollars, which shall be used by said "Jefferson Davis Memorial," incorporated, for the sole purpose of completing said monument and the improvements of said park or tract of nineteen acres, more or less, upon which said monument is situated; and upon delivery of said deed to said "Jefferson Davis Memorial" it shall hold said park or tract of nineteen acres, more or less, together with the monument and the improvements situated thereon, for the use and benefit of the Commonwealth of Kentucky, perpetually.

§ 3. Any portion of said appropriation which may remain unexpended after the completion of said monument and the improvements of said park or tract, shall be returned to the treasury of the Commonwealth of Kentucky.

§ 4. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	H. M. Fultz	E. D. Morris
W. B. Ardery	O. C. Gartin	Chas. A. Nelson
A. J. Baldridge	T. H. Golden	F. V. Nunnelly
L. D. Bax	J. E. Hadden	E. E. Palmore
W. B. Belknap	W. R. Haselwood	J. J. Patterson
Homer Beliles	H. C. Hawkins	H. A. Pulliam
C. W. Bennett	R. O. Huntsman	V. H. Redwine
J. E. Bickett	Hector Johnson	J. F. Reed
S. A. Blackburn	J. Roy Johnson	J. E. Robbins
Wm. H. Bornhorst	A. J. Jolly	C. W. Ryans
J. F. Bosworth	H. J. Kegley	Arthur Saunders
Allen B. Cammack	T. H. King	W. M. Simpson
R. J. Cain	T. J. Knight	Geo. W. Smith
Lee Clark	Leon P. Lewis	A. W. Stamper
Sam Cole	Leroy Lewis	H. Q. Thompson
L. F. Coomes	Martin Light	D. D. Thornberry
J. L. Cushing	J. T. Linton	W. S. Tinsley
B. F. Day	J. Will McFarlin	N. I. Toombs
J. R. Dorman	W. J. McMurry	M. E. Vaughan
E. J. Doss	J. L. Manning	C. D. Vincent
G. L. Drury	E. B. Miller	W. S. Wallen
H. C. Duffy	Harry Miller	E. C. Walker
Wm. M. Duncan	G. W. Morgan	W. D. Watkins
D. E. Edwards	J. L. Morgan	C. Westerfield
J. O. Evans	Wm. J. Moore	F. E. Wilson

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There voted in the negative—

J. W. Martin —1

Resolved, that the title thereof be as aforesaid.

Mr. Harry Miller moved that the vote by which said bill was pessed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 71. An act entitled an act relating to the general administration and supervision of the common schools of the Commonwealth of Kentucky and the office of Superintendent of Public Instruction, repealing certain sections and subsections of Carroll's 1918 edition, Kentucky Statutes, and chapter 71, Acts of 1920, relating to the salary of Superintendent of Public Instruction, office supplies, and clerical force, and enacting and re-enacting in lieu thereof certain sections and subsections relating to the election of Superintendent of Public Instruction, his bond, his salary, his powers, duties, responsibilities and priviliges and the reorganization of the State Department of Education as set forth in the enacting clause hereof.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 4384. A Superintendent of Public Instruction shall, in accord with section 91 of the Constitution, be elect-

ed by the qualified voters of the state at the same time the Governor is elected, for a term of four years. He shall be at least thirty years of age at the time of his election, and shall have been a resident citizen of the state at least two years next before his election. He shall qualify by taking the constitutional oath required of all state offices, and shall enter upon the discharge of his duties the first Monday in January after his election, and shall hold office until his successor is elected and qualifies, but may not be re-elected.

For the faithful performance of his duties he shall give bond for at least twenty-five thousand ($25,000) dollars, which shall be executed by some surety company authorized to do business in this state, and shall be paid for by the state. Said bond shall be filed with the Secretary of State.

The salary of the Superintendent of Public Instruction shall, until the first Monday in January, 1928, be $4,000 per year; thereafter it shall be $4,000 per year, and paid in the same manner as now provided by law.

The duties of the Superintendent of Public Instruction, in accord with section 91 of the Constitution, and in addition to those imposed upon him as chairman and executive officer of the State Board of Education by other parts of this act and by law, shall be as follows:

Section 4385. The Superintendent of Public Instruction shall explain the true intent and meaning of the school laws and of the published regulations of the State Board of Education. He shall decide, without expense to the parties concerned, all controversies and disputes involving the proper administration of the public school system, but in all such matters he shall freely consult the Attorney General. He shall have authority to administer oaths, and to examine under oath, in any part of the state, witnesses in any matter pertaining to the public schools, and to cause the testimony to be reduced to writing. Any person who, having been sworn or affirmed by him to tell the truth, wilfully giving false tes-

timony shall be guilty of false swearing and punished for perjury.

Section 4386-a. The Superintendent of Public Instruction shall recommend for removal by the State Board of Education any school board member who, in his opinion, is guilty of immorality, misconduct in office, incompetency, insubordination, or wilful neglect of duty. In all cases the charge shall be made in writing.

The Superintendent of Public Instruction shall recommend to the appropriate school authorities for removal any county or city superintendent, or any principal of a graded common school district, who, in his opinion, is guilty of immorality, misconduct in office, incompetency, insubordination or wilful neglect of duty. In all cases the charges shall be made in writing.

Section 4387. The Superintendent of Public Instruction shall keep his office at the seat of government in such suitable buildings as may be provided, and shall devote his entire time to the duties of his office. In order to carry out his educational policies he may call and conduct conferences of boards of education, boards of trustees, superintendents, supervisors, principals, teachers, attendance officers, and other regular public school employes on matters relating to the condition, needs and improvements of the schools. Personal and traveling expenses incurred by those attending conferences so called by the Superintendent of Public Instruction shall be a legitimate public expense and may be paid by boards of education and boards of trustees.

He shall publish biennially school laws of the state, omitting all that have been repealed and inserting in its proper place that which is amendatory or new. There shall also be included and inserted in connection with the proper sections abstracts of the decisions of the Appellate Court, and the decisions and interpretations of the Attorney General and of the Superintendent of Public Instruction.

He may publish the regulations of the State Board of

Education, and such pamphlets as will stimulate public interest, promote the work of education, and foster in school officials and teachers professional insight and efficiency.

He shall receive and examine all reports required by law or the State Board of Education, and in person, or through his assistants, shall examine the expenditures, business methods, and accounts of boards of education, boardss of trustees, and of all institutions under the direct control of the State Department of Education, and advise on the same.

Section 4388. The Superintendent of Public Instruction shall, with the advice of the State Board of Health, prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, regulations for the sanitary and protective construction of public school buildings and public school toilets, and regulations governing the medical inspection and the physical education and physical recreation of public school children. He shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, plans for public school buildings and toilets, and shall advise with public school officials and interested citizens on planning and constructing same. He shall receive all plans, specifications, and contracts, as submitted by county boards of education and boards of trustees of graded common schools, for new public school buildings and for the repair of old buildings, examine or cause to be examined and approve or disapprove the same.

Section 4388-a. The Superintendent of Public Instruction shall prepare, or cause to be prepared, subject to approval by the State Board of Education, regulations governing the physical equipment of school grounds, school buildings and classrooms. He shall also prepare, or cause to be prepared, from time to time, appropriate bulletins on such physical equipment and submit the same for approval and publication by the State Board of Education.

Section 4390. The Superintendent of Public Instruction shall prepare, or cause to be prepared, and submit for

approval and adoption by the State Board of Education, lists of studies to be taught or that may be taught in public elementary and public high schools, also minimum courses of study for all public elementary and public high schools.

Section 4391. The Superintendent of Public Instruction shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, regulations governing vocational education.

Section 4392. The Superintendent of Public Instruction shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, regulations governing the educational equipment of school buildings and classrooms. He shall also prepare, or cause to be prepared, from time to time, appropriate and suggestive bulletins on such educational equipment, and submit the same for approval and publication by the State Board of Education.

Section 4393. The Superintendent of Public Instruction shall prepare or cause to be prepared, and submit for approval and adoption by the State Board of Education, regulations governing the accrediting of schools and professional departments of schools for the training of teachers also the certification of all regular public school employes. Subject to the regulations of the State Board of Education and the provisions of the school laws of the state, he may accredit all schools and professional departments of schools for the training of teachers and shall certificate all regular public school employes.

The Superintendent of Public Instruction shall recommend the revocation by the State Board of Education of the certificate of any regular public school employe who is guilty of immorality, misconduct in office, insubordination, incompetency, or wilful neglect of duty. In all cases the charges shall be made in writing, and the party against whom charges are preferred shall have an opportunity to be publicly heard before the State Board of Education in his own defense, in

person or by counsel, and to present witnesses, upon not less than ten days' notice.

Section 4394. The Superintendent of Public Instruction shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, regulations determining the length of the school day, the holidays on which the schools may be closed, the pay of teachers during absence because of sickness or quarantine, or when the schools are closed by quarantine or otherwise. He may also provide, through the publication and distribution of special bulletins or otherwise, for the appropriate observation, in all public schools of the state, of the holidays declared by law or by the State Board of Education.

Section 4395. The Superintendent of Public Instruction shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, regulations for grading and classifying all public elementary and public high schools; also for limiting, on the basis of equipment, length of school term, enrollment and attendance, and number and qualifications of the teachers employed, the years, grade, and scope of instruction that may be offered in such schools.

He shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, the minimum requirements for issuing certificates and diplomas to the graduates of public elementary and public high schools of the state as provided by law. He shall also prepare annually, or cause to be prepared, a list of public high schools and of all private high schools in the state which have requested to be classified, showing the classification of each.

Section 4396. The Superintendent of Public Instruction shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, regulations for taking and keeping a school census, also the forms and blanks to be used in taking and keeping the census, and in compiling the required reports thereon. The Superin-

tendent of Public Instruction shall recommend, if in his judgment the whole or any part of such census has not been properly taken, the retaking of the whole or any part of the school census of any county, city or graded common school district.

Section 4396-1. The Superintendent of Public Instruction shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, regulations governing the preparation of county and graded common school district budgets.

Section 4396-2. The Superintendent of Public Instruction shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, a uniform series of forms and blanks, educational and financial, including forms of contracts, for the use of boards of education, boards of trustees, and regular public school employes, and it shall be his duty to see that all financial accounts, including the annual school budget and all records are so kept, neatly and accurately and that all reports are made according to these forms and blanks. He shall also prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, forms and blanks to be used in the reports required of all private educational institutions enrolling pupils of compulsory school age.

4396-3. The Superintendent of Public Instruction shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, the biennial state school budget.

4396-4. The Superintendent of Public Instruction shall prepare, or cause to be prepared, the annual report of the State Board of Education, and submit the same for its approval and adoption; he shall also prepare, or cause to be prepared, and submit for approval and adoption, all other reports which are or may be required by law of this board.

4396-5. The Superintendent of Public Instruction shall be responsible for the administration of the State Department of Education, and shall have general supervision of all

the assistants in the department. He shall appoint an Assistant Superintendent, a Chief Clerk, and such other clerks. stenographers and employes as the proper conduct of the department may demand, and shall fix their terms of office and salaries within the limit of the funds available for the expenses of the Department of Education.

4396-6. The State Department of Education shall hereafter include at least the following divisions, and be provided with at least the following assistants:

1. Office of Superintendent of Public Instruction, having, in addition to an Assistant Superintendent of Public Instruction, who is authorized to act in the absence of the Superintendent of Public Instruction, such secretaries, stenographers and clerks as are necessary and consistent with the funds available.

2. Division of Statistics, school records and reports, having a director and such clerks and stenographers as are necessary and consistent with the funds available.

3. Division of Inspection and Accounting, having a director and such assistants and stenographers as are necessary and consistent with the funds available.

4. Division of Certification and Examination, having a director and such assistants and stenographers as are necessary and consistent with the funds available.

5. Division of Rural School Supervision, having a director and such assistants and stenographers as are necessary and consistent with the funds available.

6. Division of High School Supervision, having a director and such assistants and stenographers as are necessary and consistent with the funds available.

7. Division of Negro Education, having a director and such assistants and stenographers as are necessary and consistent with the funds available.

8. Division of Vocational Education, having a director and such assistants and stenographers as are necessary and consistent with the fund available.

9. The Superintendent of Public Instruction may provide for additional departments as efficiency of service of the state may demand, within the limits of the funds available for such service.

10. The Superintendent of Public Instruction may cooperate with the State Parent-Teachers Association, and similar organizations engaged in educational work of a general or special nature, financially or otherwise, either in whole or in part, and may provide for same in the State Department of Education as the best interests of the department may justify and the funds available for such cooperation may warrant.

Section 4396-7. The Superintendent of Public Instruction and his assistant shall be reimbursed for all actual and necessary traveling expenses and disbursements incurred or made by them in the performance of their official duties, and no part of such reimbursement shall be included in or accounted as a part of their salaries.

Section 4396-8. The Superintendent of Public Instruction may, in his discretion, attend educational associations, conventions and conferences, whether within or without the state, for the purpose of keeping informed upon and familiar with progressive educational policies and practices, that the schools of the state may be more efficiently served. When thus engaged his actual traveling expenses shall be paid in the same manner and from the same funds as his usual traveling expenses are paid; provided that the total traveling expenses of the Superintendent of Public Instruction shall not exceed in the aggregate fifteen hundrd dollars ($1,500.00) in any one year.

Section 4396-9. The Superintendent of Public Instruction shall perform such other duties as are imposed upon him by law, or assigned to him from time to time by the State Board of Education.

None of the provisions of this bill shall apply to either

of the state normal schools, established for the purpose of training teachers in this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
A. J. Baldridge
J. H. Baughman
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
J. F. Bosworth
Allen B. Cammack
J. G. Campbell
R. J. Cain
Sherman Chasteen
Sam Cole
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
H. M. Fultz
O. C. Gartin
T. H. Golden
J. E. Hadden
H. C. Hawkins
J. W. Howard
R. O. Huntsman
L. J. Jeter
J. Roy Johnson
A. J. Jolly
D. C. Jones
T. H. King
T. J. Knight
John H. Lawson
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
J. Will McFarlin
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
E. E. Palmore
J. J. Patterson
G. L. Perryman
H. A. Pulliam
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
M. E. Vaughan
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

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Resolved, that the title thereof be as aforesaid.

Mr. Harry Miller moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 43. An act to provide for the appointment of special judges extraordinary to preside over the circuit courts in this Commonwealth, fix their compensation and define the conditions under which they may be appointed and the jurisdiction which they may exercise. This act is to be known as section 971-7 of Kentucky Statutes.

Together with a committee amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 971 of Carroll's 1915 edition of the Kentucky Statutes be and the same is hereby amended, extended, revised and re-enacted so that same when amended, extended, revised and re-enacted shall read as follows:

§ 1. That the regular circuit judges of the Commonwealth of Kentucky, except those whose district embraces a city of either the first or second class, and wherein a court of continuous session is held, be and they are hereby authorized to act as special judges of the circuit courts of this Commonwealth. It shall be the duty of the Governor to issue a commission to each of said circuit judges, commissioning them as special judges of this Commonwealth so long as they shall be regular judges thereof. Such special judges shall respectively receive an annual salary of twelve hundred dollars, payable monthly out of the treasury.

§ 2. In the absence of the regular judge of any circuit court in this Commonwealth, except the courts of continuous session as mentioned in the first section hereof, or when he is incapacitated or cannot hold the court or preside in any particular case or cases, if the parties cannot agree upon an attorney to act as judge, and who shall receive no compensation for his services, the clerk shall at once notify the Governor, who, in turn shall immediately notify one of the circuit judges mentioned above, who is not then engaged in holding a regular or special term of court in his district, and it shall be the duty of said circuit judge so notified by the Governor to hold the court, or try the case or cases, and the judge so notified by the Governor shall have all the power of a regular judge of said court. In the event the Governor is unable to procure the services of one of the circuit judges mentioned above to hold the court or try the case or cases because no such regular judge can be found who is not engaged in holding a regular or special term of court in his district, or who is not disqualified to hold the court or try the case or cases, the Governor shall at once appoint and commission as a special circuit judge to hold such court or try such case or cases, an attorney having the qualifications of a circuit judge, and who is a resident of the judicial district in which said court is to be held, or of an adjoining district, and the judge so appointed shall hold said court or try said case or cases, and have all the powers of a regular judge, and receive the compensation hereinafter provided therefor. Should the attorneys of the court agree upon and recommend the appointment of an attorney, qualified as aforesaid, who will consent to serve as such judge, the Governor shall appoint and commission such attorney as such special judge to hold said court or try said case or cases.

§ 3. When from any cause the judge of any circuit court of continuous session being in attendance cannot properly preside in an action, proceeding or prosecution pending in said court, or if either party shall file with the clerk of the

court his affidavit that the judge will not afford him a fair and impartial trial, or will not impartially decide an application for a change of venue, the parties, by agreement, may elect one of the attorneys of the court to hear and try the case, proceeding or application; and if any of the parties to said action, proceeding or prosecution are non-resident defendants, who have not entered their appearance, nor have been summoned, or are infant defendants, the attorney appointed to defend for such non-residents, or the guardian ad litem for such infants, may agree with the other parties to such action, proceeding or prosecution, upon a lawyer having all the qualifications of a circuit judge to try such action, proceeding or prosecution. If the parties cannot agree upon an attorney to act as judge, as above stated, the clerk of the court shall at once notify the Governor of the state, who shall appoint as special circuit judge an attorney having the qualifications of a circuit judge to try the case, and the judge so appointed shall have all the powers of the regular judge and receive the compensation hereinafter provided therefor.

When from any cause the judge of any circuit court of continuous sssion fails to attend, or is unable for any reason to hold the court, the clerk of said court shall at once notify the Governor of the state, who shall appoint as special circuit judge an attorney having the qualifications of a circuit judge to hold the court during the time when the regular judge shall fail to attend or shall be, as above stated, unable to hold said court, and shall have all the powers of a regular judge, and shall receive for his services the compensation herein provided therefor.

§ 4. Any special circuit judge not a regular judge, appointed under section 2 or section 3 hereof, shall be paid by the Commonwealth out of the treasury for his services fourteen dollars ($14.00) per day, and ten cents (10c) per mile in going to and returning from the court, but he shall not be paid for any services as such unless the period of his services shall be certified by an order made by the regular judge

from his own knowledge, or proof heard in open court; or, if the regular judge is incapacitated to make such order, the period of such services and the incapacity of the regular judge to make such order shall be certified by an order made by such special judge, and verified by his affidavit.

§ 5. Every special judge before entering on the discharge of his duties must, in addition to the oath prescribed by the Constitution, take an oath as follows:

"I, A. B., do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge all the duties incumbent upon me as judge, according to the best of my ability."

Said oaths, together with the certificate of the officer before whom same were taken showing the date thereof, shall be endorsed in writing on his commission.

§ 6. The commissions of special judges, the selection of special judges, the reason of such selection, and the fact that the requisite oaths have been taken, must be recorded on the order book of the court.

§ 7. It shall be the duty of the clerk of each circuit court held by a judge whose district does not embrace a city of the first or second class wherein a court of continuous session is held, to notify the Governor in writing immediately upon the final adjournment of each regular or special term of this court and also of the time when the next regular or special term to be held by said circuit judge shall begin, and it shall be the duty of the Governor to keep a roster of said circuit judges showing when each of them is not engaged in holding a regular or special term of court in his district, and the Governor in so notifying the circuit judges of their selection to hold any such court or to try any case, shall do so in such manner as to provide such special judge work as equally as practicable between all the regular judges aforesaid.

§ 8. Section 969 of Carroll's 1915 edition of the Ken-

tucky Statutes, and all other acts and parts of acts in conflict herewith are hereby repealed.

§ 9. In view of the necessity for speedily providing means for the trial of causes in which the regular judge of such court is unable to sit, an emergency is declared to exist, and this act shall take effect from and after its approval by the Governor.

Said amendment to said bill as offered by the committee is as follows, viz.:

Amend by striking out of section 2 of the said bill the following words: "but preference in such appointment shall be given to a suitable attorney, if available, who has been a regular circuit judge of this Commonwealth."

Said amendment was then adopted.

Ordered, that said bill be read the third time.

The constitutional provisions as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	J. G. Campbell	D. E. Edwards
W. B. Ardery	R. J. Cain	J. O. Evans
A. J. Baldridge	Sherman Chasteen	O. C. Gartin
J. H. Baughman	Lee Clark	T. H. Golden
L. D. Bax	L. F. Coomes	J. E. Hadden
C. W. Bennett	J. L. Cushing	W. R. Haselwood
J. E. Bickett	B. F. Day	H. C. Hawkins
S. A. Blackburn	J. R. Dorman	L. J. Jeter
J. F. Bosworth	E. J. Doss	Hector Johnson
W. J. Brandenburg	G. L. Drury	A. J. Jolly
Allen B. Cammack	Wm. M. Duncan	D. C. Jones

T. J. Knight	J. L. Morgan	W. M. Simpson
John H. Lawson	Wm. J. Moore	A. W. Stamper
Leon P. Lewis	Chas. A. Nelson	F. L. Strange
Leroy Lewis	F. V. Nunnelly	D. D. Thornberry
J. T. Linton	E. E. Palmore	W. S. Tinsley
W. J. McMurry	J. J. Patterson	N. I. Toombs
R. D. McMurtry	G. L. Perryman	M. E. Vaughan
J. L. Manning	H. A. Pulliam	C. D. Vincent
J. W. Martin	J. E. Robbins	W. S. Wallen
E. B. Miller	Arthur Saunders	E. C. Walker
Harry Miller	G. W. Shadoan	C. Westerfield
G. W. Morgan	Lee L. Simons	F. E. Wilson

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Those who voted in the negative were—

H. M. Fultz	J. Will McFarlin	E. D. Morris
J. Roy Johnson		

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Resolved, that the title thereof be as aforesaid.

Mr. Harry Miller moved that the vote by which said bill, as amended, was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a resolution of the following title, viz.:

H. Res. 4. Resolution for the benefit of William D. Overton.

Said resolution is as follows, viz.:

Whereas, because of a resolution of the General Assembly William D. Overton, in firing a cannon in celebration of

the anniversary of the birthday of the Irish patriot, Robert Emmet, was dreadfully and permanently injured as a result of which he is a hopeless and helpless and dependent cripple and invalid;

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the sum of six hundred dollars annually, payable fifty dollars monthly, be and the same is appropriated out of any moneys in the treasury not otherwise appropriated, for his relief.

The said sum to be paid annually so long as the said William D. Overton shall live.

Said resolution was adopted.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	B. F. Day	Leon P. Lewis
W. B. Ardery	J. R. Dorman	Leroy Lewis
A. J. Baldridge	E. J. Doss	J. T. Linton
L. D. Bax	G. L. Drury	J. Will McFarlin
W. B. Belknap	H. C. Duffy	W. J. McMurry
Homer Beliles	Wm. M. Duncan	R. D. McMurtry
C. W. Bennett	D. E. Edwards	J. L. Manning
J. E. Bickett	T. H. Golden	J. W. Martin
S. A. Blackburn	J. E. Hadden	Harry Miller
Wm. H. Bornhorst	H. C. Hawkins	G. W. Morgan
J. F. Bosworth	J. W. Howard	J. L. Morgan
W. J. Brandenburg	R. O. Huntsman	Wm. J. Moore
Allen B. Cammack	Hector Johnson	E. D. Morris
J. G. Campbell	J. Roy Johnson	E. E. Palmore
R. J. Cain	A. J. Jolly	J. J. Patterson
Sherman Chasteen	D. C. Jones	G. L. Perryman
Lee Clark	T. H. King	H. A. Pulliam
L. F. Coomes	T. J. Knight	Arthur Saunders
J. L. Cushing	John H. Lawson	G. W. Shadoan

Lee L. Simons	D. D. Thornberry	E. C. Walker
W. M. Simpson	W. S. Tinsley	W. D. Watkins
Geo. W. Smith	N. I. Toombs	C. Westerfield
A. W. Stamper	M. E. Vaughan	F. E. Wilson
F. L. Strange	C. D. Vincent	
H. Q. Thompson	W. S. Wallen	

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There voted in the negative—

J. E. Robbins

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Mr. Harry Miller moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Harry Miller moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Harry Miller moved that the House do now recess until one o'clock p. m.

Said motion was agreed to.

AFTERNOON SESSION.

The hour of one o'clock having arrived, the Speaker resumed the Chair and called the House to order.

Mr. Golden, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a bill of the following title, viz.:

H. B. 318. An act to amend and re-enact sections of the Acts of the Extraordinary Session of the General Assembly of 1917 as amended and re-enacted by acts of later sessions of the Kentucky Assemblies, etc., being an act relating to revenue and taxation, etc.

Thereupon all other business was suspended and said bill was read at length and compared in open session and found to be correctly enrolled. Thereupon the Speaker, in open session, and in th presence of the House, affixed his signature thereto.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copy of said bill duly signed by the President of the Senate into the possession of the Chief Clerk of this House.

Ordered, that the Chief Clerk deliver said bill to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

By unanimous consent, Mr. Beliles introduced the following bill, viz.:

H. B. 586. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto, as project No. —, extending from a point three miles east of Rochester, to Lewisburg.

Ordered, that said bill be printed and referred to Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 46. An act to regulate the issue and redemption of script or other evidence of debt. In order to prohibit the graft from workmen's wages for advancement before pay day.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an individual, firm, partnership or organization or corporation, employing labor who may hereafter issue any script, due bills, checks, or other evidence of debt, in any form, for labor shall redeem same in cash or legal tender at face value at least once in each month on a regular pay day from any person or persons, firm or corporation who may present the same for payment.

Provided, that any person, firm or corporation, buying said script or other evidence of debt which has been issued to employes for labor shall be entitled to sue the person, firm or corporation issuing the same if payment is refused, and shall be entitled to recover face value therefor if it has been paid for in goods and merchandise in store, and if paid for in cash, shall be entitled to recover the amount paid for said script or other evidence of debt to employes, together with six per cent interest from date said script was purchased, and in the event said amount paid for said script or other evidence of debt issued to employes, is less than the face value thereof, and that the amount paid and interest thereon is less than face value of said script, the residue of the face value thereof shall be credited on the books of the employer to the employe to whom it was issued, and said employe shall be entitled to receive same on any regular pay day of

said employer; and provided, that the person, firm or corporation, suing said employer to recover on said script or other evidence of debt shall not be required to make the persons from whom said script or other evidence of debt was purchased, party or parties to any action brought to enforce collection for same.

All persons, firms and corporations, purchasing script or other evidence of debt issued to employes on account of labor shall keep an accurate record of the amount of script or other evidence of debt purchased, and this record so kept shall show the name of each person from whom script or other evidence of debt issued to employes for labor was purchased, the amount purchased, date thereof, and amount paid in goods or in cash or other thing of value, and who issued said script or other evidence of debt so purchased. This act shall not apply to persons, firms or corporations employing less than twenty persons .

The itemized statement from the record so kept shall be presented when payment is demanded for script or other evidence of debt, so purchased by any person, firm or corporation, and said statement shall be properly sworn to by the person presenting same, or by his or its agent.

Mr. Howard offered the following amendment to the title of said bill, viz.:

Amend the title to S. B. 46 so that, as amended, same will read as follows:

"An act to regulate the issue and redemption of script or other evidence of debt in order to prohibit the graft from workmen's wages for advancement before pay day."

Said amendment was agreed to.

Ordered, that said bill be read the third time.

The constitutional provisions as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	W. R. Haselwood	E. D. Morris
W. B. Ardery	H. C. Hawkins	Chas. A. Nelson
T. H. Baker	J. W. Howard	F. V. Nunnelly
A. J. Baldridge	R. O. Huntsman	E. E. Palmore
L. D. Bax	L. J. Jeter	J. J. Patterson
W. B. Belknap	Hector Johnson	G. L. Perryman
Homer Beliles	J. Roy Johnson	J. F. Reed
C. W. Bennett	A. J. Jolly	J. L. Richardson
J. E. Bickett	D. C. Jones	J. E. Robbins
S. A. Blackburn	H. J. Kegley	C. W. Ryans
Wm. H. Bornhorst	T. H. King	Arthur Saunders
J. F. Bosworth	T. J. Knight	G. W. Shadoan
W. J. Brandenburg	Oscar Leibson	Lee L. Simons
Allen B. Cammack	Leon P. Lewis	W. M. Simpson
J. G. Campbell	Leroy Lewis	Geo. W. Smith
R. J. Cain	Martin Light	A. W. Stamper
Sherman Chasteen	J. T. Linton	F. L. Strange
J. L. Cushing	W. J. McMurry	H. Q. Thompson
B. F. Day	R. D. McMurtry	D. D. Thornberry
E. J. Doss	J. L. Manning	W. S. Tinsley
G. L. Drury	J. W. Martin	J. Wood Vance
Wm. M. Duncan	E. B. Miller	C. D. Vincent
D. E. Edwards	Harry Miller	W. S. Wallen
J. O. Evans	G. W. Morgan	E. C. Walker
H. M. Fultz	J. L. Morgan	W. D. Watkins
O. C. Gartin	Wm. J. Moore	C. Westerfield
T. H. Golden		

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Resolved, that the title thereof be as amended.

Mr. Harry Miller moved that the vote by which said

bill was passed as amended be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 279. An act to amend section 3656, Kentucky Statutes, in reference to compensation of appraisers of personal property of decedents' estates.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 3856 of the Kentucky Statutes be and the same is hereby amended by adding thereto the following: "Provided, however, that where experts are required or unusual duties are performed by such appraisers, they shall be allowed a reasonable compensation therefor, to be fixed by the county court," so that said section when amended shall read as follows:

"Appraisers.—Compensation of appraisers shall, for their services, be paid each $1.50 per day by the personal representative out of the estate. Provided, however, that where experts are required or unusual duties are performed by such appraisers, they shall be allowed a reasonable compensation therefor, to be fixed by the county court."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	W. R. Haselwood	E. D. Morris
W. B. Ardery	H. C. Hawkins	F. V. Nunnelly
T. H. Baker	J. W. Howard	E. E. Palmore
A. J. Baldridge	R. O. Huntsman	J. J. Patterson
W. B. Belknap	Hector Johnson	J. L. Richardson
Homer Beliles	J. Roy Johnson	J. E. Robbins
W. J. Brandenburg	A. J. Jolly	W. M. Simpson
Allen B. Cammack	D. C. Jones	Geo. W. Smith
J. G. Campbell	H. J. Kegley	F. L. Strange
R. J. Cain	T. H. King	H. Q. Thompson
Lee Clark	T. J. Knight	D. D. Thornberry
Sam Cole	Leon P. Lewis	W. S. Tinsley
J. L. Cushing	J. T. Linton	N. I. Toombs
E. J. Doss	W. J. McMurry	C. D. Vincent
G. L. Drury	J. W. Martin	W. S. Wallen
Wm. M. Duncan	Harry Miller	E. C. Walker
H. M. Fultz	G. W. Morgan	W. D. Watkins
T. H. Golden	J. L. Morgan	C. Westerfield

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Resolved, that the title thereof be as aforesaid.

Mr. Harry Miller moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 128. An act to amend section 4356t-5, Kentucky

Statutes, relating to public roads, project No. 29 of the primary road system.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. "From Richmond to West Liberty, via Irvine, Beattyville and Jackson," and amending said project or adding to, so that when amended shall read as follows: "From Richmond to West Liberty via Irvine, Beattyville, Jackson. Still Water, Hazel Green and Cannel City."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	R. J. Cain	W. R. Haselwood
T. H. Baker	J. G. Campbell	H. C. Hawkins
A. J. Baldridge	Sherman Chasteen	J. W. Howard
J. H. Baughman	Sam Cole	R. O. Huntsman
L. D. Bax	L. F. Coomes	L. J. Jeter
Homer Beliles	J. L. Cushing	Hector Johnson
C. W. Bennett	B. F. Day	J. Roy Johnson
J. E. Bickett	E. J. Doss	A. J. Jolly
S. A. Blackburn	Wm. M. Duncan	T. H. King
Wm. H. Bornhorst	D. E. Edwards	T. J. Knight
J. F. Bosworth	H. M. Fultz	Leon P. Lewis
W. J. Brandenburg	O. C. Gartin	Leroy Lewis
W. B. Bush	T. H. Golden	Martin Light

J. T. Linton	F. V. Nunnelly	A. W. Stamper
W. J. McMurry	E. E. Palmore	F. L. Strange
J. L. Manning	J. J. Patterson	D. D. Thornberry
J. W. Martin	G. L. Perryman	W. S. Tinsley
E. B. Miller	H. A. Pulliam	N. I. Toombs
Harry Miller	V. H. Redwine	C. D. Vincent
G. W. Morgan	J. F. Reed	W. D. Watkins
J. L. Morgan	J. E. Robbins	C. Westerfield
Wm. J. Moore	Lee L. Simons	F. E. Wilson
E. D. Morris	W. M. Simpson	

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Resolved, that the title thereof be as aforesaid.

Mr. Harry Miller moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 185. An act to repeal and re-enact an act approved March 23, 1910, entitled "An act to amend section 1884 of chapter 52 of the Kentucky Statutes, Carroll's edition, 1919, entitled 'fiscal courts'."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act of the General Assembly of Kentucky approved March 23, 1910, entitled "An act to amend section 1884 of chapter 52 of the Kentucky Statutes, Carroll's edition of 1919, entitled 'fiscal courts'," be and the

same is hereby repealed, and that there be and now is enacted in lieu thereof the following, to wit:

"That the sheriff or other officer who may collect these taxes shall annually, before he proceeds to do so, execute bond to the Commonwealth of Kentucky, in the county court of each respective county, with one or more sufficient sureties, in a definite penal sum which shall be determined and fixed by the judge of the county court, for faithful performance of his duty, and to pay over in due time to the proper party, as directed by court, all money collected by him; said bond to be approved by order of the county court, and when approved to be recorded in the order book, and safely kept by the county court clerk; and the officers collecting said taxes shall be allowed the same compensation as officers are who collect the state revenue; and he shall annually settle his accounts with the court of claims or fiscal court as such collector, and may be required to settle oftener, in the discretion of said court, by order entered of record, a copy of which shall be served on the officer; and his settlement shall show the amount of poll tax, and also the amount of ad valorem tax collected, and an itemized statement of the moneys disbursed and the same shall be published for at least two weeks in the paper published in the county having general circulation therein, if any be published in the county; if none, then the settlement shall be published by written or printed handbills posted at the front door of the court house and at least three other public places in the county."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	R. O. Huntsman	F. V. Nunnelly
J. H. Baughman	L. J. Jeter	E. E. Palmore
W. B. Belknap	Hector Johnson	J. J. Patterson
J. F. Bosworth	J. Roy Johnson	H. A. Pulliam
W. J. Brandenburg	D. C. Jones	J. E. Robbins
R. J. Cain	T. H. King	Lee L. Simons
Sherman Chasteen	T. J. Knight	W. M. Simpson
Sam Cole	Leon P. Lewis	A. W. Stamper
J. L. Cushing	Martin Light	F. L. Strange
B. F. Day	J. T. Linton	H. Q. Thompson
E. J. Doss	W. J. McMurry	D. D. Thornberry
Wm. M. Duncan	R. D. McMurtry	W. S. Tinsley
D. E. Edwards	J. L. Manning	N. I. Toombs
J. O. Evans	J. W. Martin	J. Wood Vance
H. M. Fultz	Harry Miller	C. D. Vincent
O. C. Gartin	G. W. Morgan	W. D. Watkins
T. H. Golden	J. L. Morgan	C. Westerfield
W. R. Haselwood	Wm. J. Moore	F. E. Wilson
H. C. Hawkins	E. D. Morris	

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Resolved, that the title thereof be as aforesaid.

Mr. Harry Miller moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 427. An act to amend and re-enact sections 3673, 3674, 3677 and 3678 of Kentucky Statutes, Carroll's edition, 1922, being a part of the subdivision 6, article 7, chapter 89, relating to revenue and taxation in towns of the sixth class.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3673, Kentucky Statutes, Carroll's edition, 1922, be amended and re-enacted so that same shall read as follows:

Section 3673. All real and personal estate within the city, and all personal estate, except such tangible personal property as has an actual and bona fide situs without the city, of persons domiciled or actually residing in the city on the first day of July, in the year in which the assessment shall be made, and of all corporations having their chief office or place of business in the city on said date, and all franchises of same shall be subject to assessment and taxation for all local and municipal purposes, unless exempt from taxation by the Constitution or laws of this Commonwealth, and the same shall be assessed at its fair cash value, estimated at the price it would bring at a fair voluntary sale. Any franchise granted in whole or in part by a town, and exercised within said town, may be taxed by said town, notwithstanding the corporation owning or exercising the same may have its chief office or place of business elsewhere. And any corporation or company doing business in a town, whether its franchise was granted by such town or not, may be required to pay a license tax.

That section 3674 of said statute be amended and re-enacted so that same shall read as follows:

Section 3674. All property subject to taxation shall be assessed as of the first day of July each year, and it shall be the duty of the assessor between the first day of July and the first day of November in each year to make out a true list of all taxable property within the town. The mode of making out said list, and the proceedings relating thereto, shall be in conformity with the laws now in force regulating county assessors or county tax commissioners, except as the same

may otherwise be provided in this chapter or by ordinance. The assessor shall verify said list by an oath, and shall deposit the same with the town clerk on or before the first Monday in December in each year. The assessor shall, during such time, also make a list of all persons residing within the town, and shall verify said list by an oath, and shall, on or before the first Monday in December in each year, deposit the same with the town clerk. Said assessor and his deputy shall have power to administer all oaths and affirmations necessary in the performance of his duties. But if the board of trustees deem it preferable, they, by ordinance or resolution, may provide that the assessment hereinbefore provided for, shall not be made, but that in lieu thereof the assessment made by the county tax commissioner or assessor for state and county purposes shall be adopted and accepted as an assessment for the city of property subject to taxation therein in so far as same concerns property subject to city or municipal taxation; and that the tax bills of the city shall be made from the county lists and assessor's books after same have been supervised and corrected by the county board of equalization against all persons, firms and corporations subject to taxation in the city. It shall be the duty of the clerk of the board of trustees to take the list of any person, firm or corporation, subject to taxation in the city, which may be omitted from or not shown in the county assessor's books, and to list any property, a portion of which may be in the city where the value of the portion in the city is not shown by the county assessor's books.

That section 3677 of said statutes be amended and reenacted so that the same shall read as follows:

Section 3677. The board of trustees shall have power, and it shall be their duty to provide by ordinance a system for the assessment, levy and collection of all town taxes, not consistent with the provisions of this chapter, which system shall conform, as nearly as the circumstances of the case may permit, to the provisions of the laws of this state in refer-

ence to the assessment, levy and collection of state and county taxes. All taxes assessed, together with any percentage imposd for delinquency and the cost for collection, shall constitute liens on the property assessed, from and after the first day of July in each year, which liens may be enforced by a summary sale of such property, and the execution and delivery of all necessary certificates and deeds therefor, under such regulations as may be prescribed by ordinance, or in the manner provided for the collection of state taxes, or by action in any court of competent jurisdiction to foreclose such liens. If the board of trustees deem it prefertble, they may place the tax bill for the taxes levied and assessed as herein provided, in the hands of the sheriff for collection instead of having a local tax collector for that purpose, and it shall then be the duty of the sheriff of the county to collect such taxes, upon the advice of the board of trustees, that the taxes have been levied and the amount to collect. The sheriff shall collect said tax at the same time, and have the same powers he has in the collection of state and county taxes. He shall make monthly settlements, not later than the tenth of each month, with the town treasurer for the taxes so collected; Provided, that any property sold for such taxes shall be subject to redemption within the time and in the manner provided by law for the redemption of property sold for state and county taxes. All deeds made upon any sale of property for taxes, or special assessments under the provision of this chapter, shall have the same force and effect as it may hereafter be provided by law for deeds for property sold for non-payment of state and county taxes.

That section 3678 of said Statutes be amended and reenacted, so that same shall read as follows:

Section 3678. Unless the board of trustees adopt or accept the county assessment as herein provided they shall appoint three discreet freeholders, who shall meet on the first Monday of December of each year, at ten o'clock in the forenoon of said day, and sit as a board of equalization, and shall

continue from day to day until all the returns of the assessor have been rectified. They shall have power to hear complaints and to correct, modify or strike out any assessments made by the assessor, and may, of their own motion, raise any assessment, upon notice of the party whose assessment is to be raised. They shall receive not to exceed two dollars ($2.00) per day for their services while so engaged and shall not remain in session exceeding three days. The corrected list for each tax shall be the assessment roll for said tax for said year. It shall be certified by the town clerk, who shall act as clerk of the board of equalization, as being the assessment roll for said tax, and shall be the assessment roll upon which said tax is to be levied for said year.

Mr. Knight offered the following amendment to said bill, viz.:

Amend H. B. 427 by striking out the word "consistent," in line 55, page 3 of the printed bill, and inserting in lieu thereof the word "inconsistent."

Sand amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	L. D. Bax	J. E. Bickett
T. H. Baker	W. B. Belknap	J. F. Bosworth
A. J. Baldridge	Homer Beliles	J. G. Campbell

Lee Clark	R. O. Huntsman	J. L. Morgan
Sam Cole	A. J. Jolly	F. V. Nunnelly
L. F. Coomes	D. C. Jones	E. E. Palmore
J. L. Cushing	H. J. Kegley	J. E. Robbins
B. F. Day	T. H. King	G. W. Shadoan
E. J. Doss	T. J. Knight	Lee L. Simons
G. L. Drury	Leon P. Lewis	W. M. Simpson
Wm. M. Duncan	J. Will McFarlin	F. L. Strange
D. E. Edwards	W. J. McMurry	H. Q. Thompson
H. M. Fultz	R. D. McMurtry	W. S. Tinsley
O. C. Gartin	J. L. Manning	N. I. Toombs
T. H. Golden	J. W. Martin	C. D. Vincent
W. R. Haselwood	Harry Miller	W. S. Wallen
H. C. Hawkins	G. W. Morgan	W. D. Watkins

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Resolved, that the title thereof be as aforesaid.

Mr. Harry Miller moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 201. An act to provide for the treatment, care and education of crippled children and to create a commission to carry out the provisions of this act, and to appropriate funds to defray the expenses incident to such treatment, care and education.

With an amendment thereto by way of substitute therefor, as offered by the committee.

Said bill is as follows, viz.:

Whereas, there are thousands of crippled children in Kentucky; and,

Whereas, at least fifty per cent of these children are susceptible of being cured, another twenty-five per cent capable of being made self-supporting by proper treatment and the condition of the remainder made more tolerable by proper care; and,

Whereas, all of such children not susceptible of cure should have a character of vocational education suited to their needs and for which there is now no adequate provision in our educational system; and,

Whereas, thousands of these unfortunate children are in families unable to meet the expense of such treatment, care and special education; and,

Whereas, these children should be the wards of the state, just as are the blind and deaf mutes; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. For the purpose of carrying out the provisions of this act there is hereby created a commission to be known as the Kentucky Crippled Children's Commission. Said commission shall be composed of five members to be appointed by the Governor, at least three of whom shall be appointed from a list of six names to be recommended by the Kentucky Society for Crippled Children. The term of office of the members of said commission shall be four years and they shall serve without compensation.

§ 2. For the purposes of this act the words "crippled children" shall include all physically handicapped children under nineteen years of age other than those whose infirmity is solely blindness or solely deafness.

§ 3. Said commission shall have the authority to expend out of the funds herein appropriated such sums as may be necessary for the proper treatment, care and education of such crippled children as shall be committed to its care. The said commission shall elect a treasurer who shall give bond

to the Commonwealth for a proper accounting of all funds that come into his hands.

§ 4. The parent, guardian or person having in charge any crippled child, may call to the attention of the county judge of the county in which such child resides, its physical infirmity; and the county judge shall be empowered to commit such child to the commission, which shall place the child in the care of such hospital or home as may be properly equipped for its treatment and under the care of such physician or surgeon or nurses as the said commission may deem qualified to render the services needed by the child. If upon investigation the county judge finds that the parent or guardian of such child committed is able to pay a part or the whole of the expense incurred in its care, treatment and education, the judge shall make an order to that effect, and the funds received from such source shall be placed to the credit of such commission. The commission shall have authority to provide for the proper education of such child when its condition requires that it shall have a special character of education or when its condition is such that it cannot attend the public schools provided by law.

§ 5. The said commission shall have authority to pay such expenses for children under nineteen years of age committed to its care as may be incurred for board, suitable clothing and personal necessities, mental, medical, surgical, dental and optical examinations and treatment, including massaging and other beneficial treatment, braces, artificial limbs and their accessoeies and their upkeep. No service shall be hereby provided that is in any sense a duplication of services rendered by any other state or federal agency.

§ 6. Said commission shall have authority to employ such agent or agents as may be necessary in carrying out the provisions of this act and to pay their necessary traveling expenses when on business for the commission, and to pay the salary of such agent or agents, provided that the commission shall in no case pay a salary of more than $1,800.00 per

year. The commission shall also have authority to pay for the necessary traveling expenses of children committed or sent to it for care or treatment from the home of such children to such institution, to which they may be committed, and to pay the traveling expenses of such children from such institution to their homes when they are discharged.

§ 7. The books and accounts of the commission shall be open at all times to the examination of the State Inspector and Examiner and the commission shall make a biennial report of its operation to the Governor and a copy of such report shal be furnished each member of the General Assembly at the first session following the filing of such report with the Governor.

§ 8. For the purpose of carrying out the provisions of this act and meeting the expenses incident to the treatment, care and education of the children committed to the said commission there is hereby appropriated out of the state treasury for the fiscal year ending 30th of June, 1925, the sum of $75,000.00, or so much thereof as may be necessary, and for the fiscal year ending 30th of June, 1926, the further sum of $75,000.00, or so much thereof as may be necessary. The executive officers of the commission shall make a monthly statement to the State Auditor showing the amount necessary to meet the expenses of the month and make requisition on the Auditor for warrant to cover same and for such additional amounts as may be necessary as an emergency fund for the month following.

§ 9. Whereas, the need for the immediate treatment, care and education of such crippled children is so great, an emergency is declared to exist and this act shall take effect from and after its passage and approval by the Governor.

Said substitute is as follows, viz.:

An act to provide for the treatment and care of crippled children, and to create a commission to carry out the pro-

visions of this act, and to provide funds to defray the expense incident to such care and treatment; and declaring an emergency.

Whereas, there are thousands of crippled children in the Commonwealth of Kentucky; and,

Whereas, at last fifty per cent of these children are susceptible of being cured, and another twenty-five per cent capable of being made self-supporting by proper treatment and the condition of the remainder made more tolerable by proper care and treatment; and,

Whereas, thousands of these unfortunate children are in families unable to meet the expense of such care and treatment; and,

Whereas, these children should be the wards of the Commonwealth of Kentucky, just as are the blind and deaf mutes, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created a commission to be composed of five members to be appointed by the Governor, at least three of whom shall be appointed from a list of six names to be recommended by the Kentucky Society for Crippled Children, and the other two from the state at large. Said commission shall be known as "The Kentucky Crippled Children Commission," and by that name and style be a body corporate and politic, and may contract and be contracted with, sue and be sued, and do and perform all things necessary to execute the duties required and the powers vested in them by law. They may adopt necessary rules and regulations to carry out the provisions of this act, not inconsistent with the laws of the Commonwealth.

The term of office of the members of said commission shall be for a period of four years from their appointment and until their successors have been appointed and qualified, and each of said members shall serve without compensation.

Each of said commissioners shall take the oath of office required of other state officers before entering upon the discharge of his or her duty, a record of which shall be entered upon the executive journal in the Governor's office.

Said commission shall organize by the selection of a president, vice president, secretary and treasurer from among its membership, and the office of secretary and treasurer may be held by the same person.

All members of said commission shall be qualified voters of the Commonwealth of Kentucky at the time of his or her appointment, and shall be at least thirty years of age and shall have been a resident citizen of the state at least two years before his or her appointment.

§ 2. The said commission created by section one hereof, in its corporate name, shall have the power and authority to receive and hold the title to property, both real and personal, by gift, devise, bequest and conveyance, to be used by said commission for the purpose of carrying out the provisions of this act, and all property so received shall be held and used as a trust fund for the purposes for which same was received, and its use shall never be diverted to other puposes.

All money and other personal property so received by said commission shall be deposited with the Treasurer of the Commonwealth of Kentucky, and said money shall be deposited by the treasurer in a separate fund for the use and benefit of the said commission, to be expended by them in carrying out the provisions of this act; and the income from all notes, stock, bonds or other securities shall be deposited and credited to said fund by the treasurer for the use and benefit of said commission aforesaid.

§ 3. The words "crippled children," for the purposes of this act, shall include all physically handicapped children under the age of eighteen (18) years, other than those whose infirmity is solely blindness or solely deafness.

§ 4. Said commission shall have the authority to expend out of the funds received under the provisions of section two

hereof, or funds herein appropriated, such sums as may be necessary for the proper care and treatment of such crippled childen as shall be committed to its care. The treasurer of said commission shall execute bond to the Commonwealth in such penalty as may be required by the Governor for a proper accounting of all funds that come into his hands.

§ 5. The parent, guardian or person having in charge any crippled child, or any person interested in such child, may call to the attention of the county judge of the county in which such child resides, its physical infirmity, and the county judge shall be empowered to commit such child to the care and custody of said commission for treatment. But in no event shall the judge commit any child without the consent of its parent, guardian or person having it in charge.

Children committed to its care for treatment shall be placed in a hospital or home, as may be properly equipped for their treatment, and under the care of such physicians or surgeons or nurses as the said commission may deem qualified to render the service needed by the child. No child shall be committed to the care or custody of said commission for treatment under the provisions of this act where its parents, guardian or persons having it in charge, if related to said child, is able to pay for the treatment of said child. Provided, however, where the parent, guardian or person having said child in charge can only pay a portion of the cost of said treatment, the said child in their custody may be committed by the county judge under the provisions of this act, and such parent, guardian or person having said child in charge shall pay such sums as they are able to pay, and the funds thus received from said source shall be turned over to the commission and shall be applied in payment of the cost of treatment and care of said child.

The commission shall have authority to pay for board, suitable clothing and for other necessities for any child committed to its care and custody.

Provided, that no service shall be rendered by it which is in any sense a duplication of services rendered by any other state or federal agency.

§ 6. The commission shall have the right to pay the necessary traveling expenses of children committed or sent to it for care and treatment from the home of such child to such institution, to which it or they may be committed, and to pay the traveling expenses of such child or children from such institution to their homes when discharged from such institutions.

§ 7. The books and accounts of the commission shall be open at all times to the examination of the State Inspector and Examiner, and the commission shall make a biennial report to the Governor showing the amount of money received and expended and a detailed statement of its activities for said period, and a copy of such report shall be furnished each member of the General Assembly at its first session following the filing of such report with the Governor.

§ 8. There is hereby appropriated out of the treasury for the fiscal year ending June 30th, 1925, the sum of ten thousand ($10,000.00) dollars, or so much thereof as may be necessary. The treasurer of the commission shall make a monthly statement to the State Auditor showing the amount necessary to meet the expenses of the month and make requisition on the Auditor for warrant to cover same and for such additional amount as may be necessary as an emergency fund for the month following.

Provided, that if there be a fund on deposit in the office of the Treasurer of the Commonwealth as provided for in section two hereof, the treasurer of said commission shall designate in a separate warrant drawn by him on the Auditor that the warrant is to be paid out of said separate fund provided for under section two hereof, and if drawn on a fund supplied by an appropriation he shall designate on the face of the warrant that it is to be paid out of the fund so provided.

§ 9. The fiscal court of any county may appropriate funds to be paid out of the county levy for the payment in whole or in part for the care and treatment of crippled children committed from said county, and said funds so appropriated shall be expended for the care and treatment of such child or children as may be designated in the order of the fiscal court, and an itemized statement of the expenditure of such fund by said commission appropriated as aforesaid and turned over to it shall be filed with the judge of the county court of the county of the residence of said child or children mentioned in the order making said appropriation.

§ 10. Whereas, the need for the immediate care and treatment of such crippled children is so great, an emergency is declared to exist and this act shall take effect from and after its passage and approval by the Governor.

Said substitute was then adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution wer eas follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	J. E. Bickett	Sherman Chasteen
T. H. Baker	Wm. H. Bornhorst	Sam Cole
A. J. Baldridge	J. F. Bosworth	L. F. Coomes
L. D. Bax	W. J. Brandenburg	J. L. Cushing
W. B. Belknap	Allen B. Cammack	B. F. Day
Homer Beliles	J. G. Campbell	E. J. Doss
C. W. Bennett	R. J. Cain	G. L. Drury

Wm. M. Duncan	Leon P. Lewis	J. E. Robbins
D. E. Edwards	Leroy Lewis	G. W. Shadoan
J. O. Evans	Martin Light	Lee L. Simons
H. M. Fultz	J. T. Linton	W. M. Simpson
O. C. Gartin	J. Will McFarlin	A. W. Stamper
T. H. Golden	W. J. McMurry	F. L. Strange
H. C. Hawkins	R. D. McMurtry	H. Q. Thompson
R. O. Huntsman	J. L. Manning	D. D. Thornberry
Hector Johnson	J. W. Martin	W. S. Tinsley
J. Roy Johnson	Harry Miller	N. I. Toombs
A. J. Jolly	G. W. Morgan	J. Wood Vance
D. C. Jones	J. L. Morgan	C. D. Vincent
H. J. Kegley	Wm. J. Moore	W. S. Wallen
T. H. King	E. D. Morris	E. C. Walker
T. J. Knight	F. V. Nunnelly	W. D. Watkins
John H. Lawson	E. E. Palmore	C. Westerfield
Oscar Leibson	G. L. Perryman	F. E. Wilson

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Resolved, that the title thereof be as follows, viz.:

An act to provide for the treatment and care of crippled children, and to create a commission to carry out the provisions of this act and to provide funds to defray the expenses incident to such care and treatment; and declaring an emergency.

Whereas, there are thousands of crippled children in the Commonwealth of Kentucky; and,

Whereas, at least fifty per cent of these children are susceptible of being cured, and another twenty-five per cent capable of being made self-supporting by proper treatment and the condition of the remainder made more tolerable by proper care and treatment; and,

Whereas, thousands of these unfortunate children are in families unable to meet the expense of such care and treatment; and,

Whereas, these children should be the wards of the Commonwealth of Kentucky, just as are the blind and deaf mutes.

Mr. Harry Miller moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Harry Miller moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, MARCH 5, 1924.

The House was opened with prayer by the Reverend J. C. Pelgrim, of the Presbyterian church, Northern Assembly, of Frankfort.

The roll was called and the following members answered to their names, viz.:

W. L. Agee	Allen B. Cammack	T. H. Golden
W. B. Ardery	R. J. Cain	J. E. Hadden
T. H. Baker	Sherman Chasteen	W. R. Haselwood
A. J. Baldridge	Lee Clark	H. C. Hawkins
J. H. Baughman	Sam Cole	J. W. Howard
L. D. Bax	F. W. Collings	R. O. Huntsman
W. B. Belknap	L. F. Coomes	L. J. Jeter
Homer Beliles	J. L. Cushing	Hector Johnson
C. W. Bennett	B. F. Day	J. Roy Johnson
J. E. Bickett	J. R. Dorman	A. J. Jolly
S. A. Blackburn	F. J. Doss	D. C. Jones
W. M. Boling	G. L. Drury	H. J. Kegley
Wm. H. Bornhorst	Wm. M. Duncan	T. H. King
J. F. Bosworth	D. E. Edwards	T. J. Knight
W. J. Brandenburg	J. O. Evans	John H. Lawson
W. B. Bush	H. M. Fultz	Oscar Leibson

Leon P. Lewis	Chas. A. Nelson	A. W. Stamper
Leroy Lewis	F. V. Nunnelly	F. L. Strange
Martin Light	E. E. Palmore	H. Q. Thompson
J. T. Linton	J. J. Patterson	D. D. Thornberry
J. Will McFarlin	G. L. Perryman	W. S. Tinsley
R. D. McMurtry	H. A. Pulliam	N. I. Toombs
J. L. Manning	V. H. Redwine	J. Wood Vance
J. W. Martin	J. F. Reed	M. E. Vaughan
E. B. Miller	J. E. Robbins	C. D. Vincent
Harry Miller	Arthur Saunders	W. S. Wallen
G. W. Morgan	G. W. Shadoan	E. C. Walker
J. L. Morgan	Lee L. Simons	W. D. Watkins
Wm. J. Moore	W. M. Simpson	C. Westerfield
E. D. Morris	Geo. W. Smith	F. E. Wilson

The reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Wallen moved that a leave of absence be granted to Messrs. Campbell and Eller.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a resolution of the following title, viz.:

A resolution looking to the appointment of a committee to investigate and report as to the feasibility of placing all elective officers in a salary schedule.

Ordered, that said resolution be referred to the Committee on Rules.

A message was received from the Senate announcing that they had passed bills which originated in this House of the following titles, viz.:

H. B. 37. An act to provide for the execution and sale of $75,000,000 of bonds of the Commonwealth, fixing the time

when they shall be sold and the use of the proceeds thereof, providing for the application of public funds to the payment of the principal and interest upon said bonds and to the maintenance of roads to the end that said bonds may be extinguished within thirty years, and said roads maintained in the meanwhile, and providing for the submission of this act to the voters at the general election to be held on November 4, 1924.

H. B. 417. An act to repeal and re-enact sections 1, 2 and 3 respectively of chapter 17 of the Acts of the General Assembly of 1920, approved on the 16th day of March, 1920, and which will be found published in the Session Acts of 1920, beginning on page 76 thereof, all relating to roads and bridges and the Department of State Roads and Highways.

With sundry amendments to said last named bill.

Said amendments are as follows, viz.:

Amend H. B. 417 in Senate by striking from section 1, beginning with line 7, on page 1, and ending with line 27, on page 2, both inclusive, of printed bill, and substituting therefor the following: "There is hereby created a State Highway Commission, which shall consist of four members, to be appointed from their respective districts, all of whom shall be appointed by the Governor and confirmed by the Senate. Said commissioners shall be appointed from the two dominant political parties and not more than two of whom shall be members of the same political party.

Each of said commissioners shall be appointed immediately upon the taking effect of this act, two of whom shall be appointed for a term of two years, and two of whom shall be appointed for a term of four years. Said term of each to

date from February 1st, 1924. The said two members appointed from road commission districts number 2 and 3 as herein defined, shall serve for a term of two years, or until February 1st, 1926, and the two members appointed from the 1st and 4th road commission district shall serve for a term of four years, or up to February 1st, 1928. Said road commissioner district number 1 shall be composed of the First, Second and Third Congressional Districts; road commissioner district number 2 shall be composed of the Fourth and Fifth Congressional Districts; road commissioner district number 3 shall be composed of the Sixth, Seventh and Eighth Congressional Districts; road commissioner district number 4 shall be composed of the Ninth, Tenth and Eleventh Congressional Districts. On or before February 1st, 1926, and every two years thereafter, the Governor shall appoint two members of said commission for a term of four years, and in case of any vacancy or vacancies by resignation, death or otherwise, the Governor shall fill the same by appointment. The said commission shall, immediately after its appointment, or as soon thereafter as practicable, meet and organize by selecting a chairman and secretary of the commission from among its appointed members, and three appointed members shall constitute a quorum for the transaction of its business, and on or before July 1st, 1924, said commission shall meet and appoint a state highway engineer. The members of said commission shall be citizens and residents of Kentucky, and shall not be less than 30 years of age, and each shall be a representative business man and be well informed as to the needs and requirements of different sections of the state, with reference to roads and highways.

Amend H. B. 417, section one, line 29, by striking from lines 29 and 30 these words: "except that in case of a tie in the election of a chief engineer he shall cast the deciding vote."

Amend H. B. 417, section one, line 32½, by inserting between the words "engineer" and the word "shall," the fol-

lowing: "or other employe of the Department of Public Roads."

Amend H. B. 417, section one, line 81, by striking out the phrase, or words, "unless sooner removed by said commission," and inserting the following: "But said commission may remove said engineer at the pleasure of the commission and may fill the unexpired term by appointment."

Amend H. B. 417, section one, line 109, by inserting between the words "may" and "remove," the words, "and at the direction of the commission shall."

Amend H. B. 417, section three, line 21, by striking out the words, "under the supervision," and inserting in lieu thereof the following: "with the approval."

Amend H. B. 417, section three, line 148, by striking out all that follows the word "object," to the end of said sentence, ending with the word "restricted." and inserting in lieu thereof the following: "and it is intended that the provision contained in this act shall not be treated as restrictions on their powers, save as expressly stated or clearly implied, that is to say, it is intended that they may do all things necessary in the construction or maintenance of said roads except where the power is by this or another statute expressly or by clear implication denied or restricted.

Amend H. B. 417 by adding section four, as follows:

Whereas, it is very urgent and a public necessity to continue to construct and maintain the primary system of public highways in this Commonwealth and in order that no delay happen an emergency is hereby declared, and this act shall become effective from and after its passage and approval.

Amend H. B. 417 in the Sente by adding the words, "and by virtue of his office he shall act as treasurer of said commission." At the end of line 125, of section 1, and by striking from section 1, line 136, the words "commission shall select some person to have and," and the words, "executive

secretary as treasurer shall," in lieu for the words stricken therefrom. And strike out the word "person," after the word such in line 137 of section 1, and substituting the word "treasurer" in lieu thereof.

Amend House Bill 417, section 1, page 3, line 73, to read "twenty" instead of "fifteen" not to exceed $4,000.00.

Amend title of House Bill 417, by adding the following words to title of said bill: "And creating a State Highway Commission, fixing their Compensation, and declaring an emergency."

Said amendments were then each and severally adopted.

Said bill as amended was then passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. B. Ardery
T. H. Baker
A. J. Baldridge
L. D. Bax
W. B. Belknap
Homer Beliles
J. E. Bickett
S. A. Blackburn
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
J. L. Cushing
B. F. Day
J. R. Dorman
G. L. Drury
Wm. M. Duncan
D. E. Edwards
O. C. Gartin
T. H. Golden
H. C. Hawkins
J. W. Howard
R. O. Huntsman
A. J. Jolly
D. C. Jones
H. J. Kegley
T. H. King
T. J. Knight
I. T. Layman
Oscar Leibson
Leon P. Lewis
Leroy Lewis
W. J. McMurry
J. L. Manning
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
E. E. Palmore
G. L. Perryman
V. H. Redwine
J. F. Reed
J. E. Robbins
C. W. Ryans
Arthur Saunders
Lee L. Simons
W. M. Simpson
Geo. W. Smith
F. L. Strange
D. D. Thornberry
W. S. Tinsley
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

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Those who voted in the negative were—

W. L. Agee	W. R. Haselwood	R. D. McMurtry
J. H. Baughman	L. J. Jeter	J. W. Martin
C. W. Bennett	J. Roy Johnson	E. B. Miller
E. J. Doss	John H. Lawson	F. V. Nunnelly
J. O. Evans	Martin Light	J. J. Patterson
H. M. Fultz	J. T. Linton	G. W. Shadoan
J. E. Hadden	J. Will McFarlin	A. W. Stamper

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Resolved, that the title thereof be as aforesaid.

Mr. Wallen moved that the vote by which said bill as amended was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered, that said bill be delivered to the Enrolling Clerk of the House.

Mr. Wallen, of the Committee on Rules, reported bills of the following titles, viz.:

S. B. 298. An act relating to streets and alleys.

S. B. 191. An act to amend chapter 17 of the Acts of the General Assembly of 1920, relating to roads and bridges.

S. B. 253. An act establishing and making the road leading from Owensboro via Sorgho, West Louisville, St. Joseph, and Beech Grove to Dixon, a part of the primary system of state highways of the Commonwealth of Kentucky and designating said road as project No. —.

S. B. 268. An act adding project 51½ to the primary system of state highways, established by act of 1920.

S. B. 279. An act to amend chapter 17, Acts of 1920 of the General Assembly of Kentucky relating to roads and bridges.

S. B. 300. An act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of Kentucky of 1920 by adding thereto as project No. —, extending from Princeton, Caldwell county, to Dixon, Webster county, via Farmersville, Flat Rock, Creswell and Shade Grove, Caldwell county, to Dixon, Webster county, via Providence, Webster county.

S. B. 284. An act to amend chapter 17 of the Acts of 1920, approved March 16, 1920, entitled, "An act relating to roads and highways, creating the Department of State Roads and Highways, providing for officers to administer it and prescribing the powers and duties of such officers; fixing the salary of the state highway engineer and prescribing the amount which may be expended by said department; prescribing laws governing said department and the officers therein; accepting the provisions of the federal law providing that the United States shall assist in the construction of rural post roads and making appropriation for cooperative work with the United States government; providing for the payment of the state's part of the construction of state aid roads under the present law; providing for the acceptance of and making binding gifts and donations; establishing and designing a primary system of state highways and providing for their construction and maintenance; providing for the obtaining of rights of ways and naming cities and towns from which construction shall commence; and repealing subsections 1, 2, 4, 5, 6 and 7 of section 4356t, Kentucky Statutes, edition 1915; also repealing section 4356u, and subsections 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 of section 4356x Kentucky Statutes, edition 1915, and the supplement to said edition known as Vol. 3, repealing any other act or acts in

conflict herewith'' by adding thereto and to the primary system of roads thereby establishing a road project extending from Stanton, the county seat of Powell county, Kentucky, by the way of Clay City, Kentucky, to Mt. Sterling, the county seat of Montgomery county, Kentucky.

S. B. 309. An act to amend project 63 of section 4356t-5, Kentucky Statutes, Carroll's edition, 1922, establishing a primary system of state highways.

S. B. 311. An act to amend section 5 of project 32 of chapter 17, Acts of the General Assembly, 1920.

S. B. 319. An act establishing a road leading from Covington, Kenton county, Kentucky, via Decoursey, Whitestower, Nicholson, Walton, Florence, Burlington, Bellevue, Petersburg, Idlewild, Bullitsville, Hebron, Constance, Fairview, Bromley, and Ludlow to Covington, in Kenton county, Kentucky.

S. B. 325. An act establishing road leading from Longridge to Williamstown by Jonesville, Downingsville, Stewartsville to Williamstown.

S. B. 328. An act to amend chapter 17 of the Acts of the General Assembly of 1920, as approved by the Governor March 16, 1920, relating to roads and bridges and creating a primary system of state highways by giving a more definite routing of the state highway system as named in said act in project 14, which reads ''from Morgantown to Munfordsville, via Brownsville and Mammoth Cave.''

S. B. 332. An act to repeal and re-enact paragraph 2, section 5, chapter 17 of Acts of 1929, same being paragraph 2, section 4356t-5, Kentucky Statutes, 1922, of roads and highways.

S. B. 334. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways, and establishing and creating project 10½A.

S. B. 338. An act to amend section 5k of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways, and establishing and creating project 2½A.

S. B. 341. An act to establish a road leading from project 9, at Mayfield, Graves county, Kentucky, south to the Tennessee-Kentucky state line at Dukedom, Tennessee, to connect with the highway system of the State of Tennessee, in Weakley county, Tennessee, with a highway of state system leading north from Fresden, the county seat of Weakley county to Dukedom, Tennessee, in the Kentucky-Tennessee state line, to be designated as project 9a of the primary system of state highways.

S. B. 349. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto, as project —, extending from Lancaster to Danville, via Hodgeville.

H. B. 528. An act to provide for and regulate the publication, sale and distribution of opinions of the Court of Appeals as Kentucky Reports and Advance Sheets, and to repeal and re-enact subsectiontions 3, 4, 5, 6, 7, 9 and 10 of section 955a, Kentucky Statutes, Carroll's edition, 1922, relating to the publication, sale and distribution of the opinions of the Court of Appeals of Kentucky, commonly called Kentucky Reports and Advance Sheets, and to repeal section 2429, Kentucky Statutes, Carroll's 1922 edition, relating to reports to be made by clerks of courts respecting lists of volumes of re-

ports on hand; and to repeal and re-enact section 2426, Kentucky Statutes, Carroll's 1922 edition, relating to the distribution of the Kentucky Reports and designating the persons entitled to free copies thereof, and requiring of the county attorneys bond to the Commonwealth for the safe keeping and preservation of said books for use in his office.

H. B. 555. An act to classify producing oil leases, including all oil wells and all equipment thereon, actually used in producing oil.

H. B. 557. An act relating to schools and providing means of teaching adult persons of limited education.

H. B. 560. Act to repeal and re-enact section 4474, Kentucky Statutes, Carroll's edition, 1922, relating to the appointment, employment and qualification of teachers and course of study.

H. B. 563. An act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of 1920.

H. B. 569. An act to prohibit the spreading of false and malicious reports concerning the financial condition of corporations, co-operative associations and joint stock companies by their officers, employes, directors, or by others formerly employed by them.

H. B. 572. An act to regulate the tolls charged by bridge companies spanning the Ohio river.

H. B. 574. An act to provide for the expenses of the Insurance Department.

H. B. 575. An act to amend section 5 of chapter 17 of

the Acts of the General Assembly of 1920, relating to roads and highways and establishing and creating project 10½B.

H. B. 576. An act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

S. B. 329. An act establishing the road from Glencoe to Napoleon, South Fork, Beaver and Richwood.

S. B. 326. An act establishing the road leading from project 49 at the Brissie road to project 5 by Harris Musselman's, via Sweet Owen, Needmore, Holbrook and Lawrenceville.

S. B. 327. An act establishing a road running from Rocky Hill, Edmonson county, Kentucky, to Dixie Highway, at Fred Moore's place, as a state primary road and designating said road project No. —.

S. B. 342. An act establishing a road leading from project 9, at Mayfield, Graves county, Kentucky, to and intersecting with project 7 at Clinton, Hickman county, Kentucky, and to be designated at project 7a.

H. B. 577. An act to establish the route of project 58¾ relating to roads and highways.

H. B. 579. An act relating to the residence and salary of members of the State Tax Commission and to amend and reenact sections 4114i-2 and 4114t-5, Carroll's Kentucky Statutes, 1918 edition.

H. B. 581. An act to amend and re-enact 824, Kentucky Statutes, dividing the state into three districts for the purpose of electing railroad commissioners.

H. B. 582. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of the 1920 session, approved March 16, 1920, which act relates to roads and bridges and the creation of the Department of State Roads and Highways, etc., by adding to said act project No. —, which shall run from Springfield, Kentucky, to Perryville, Boyle county, Kentucky.

H. B. 583. An act to amend section 256 of the Constitution of the Commonwealth relating to the Amendments of the Constitution and the adoption thereof.

H. B. 294. An act providing a stenographer in the assistant county attorney's office in counties having a population of one hundred and fifty thousand or over, providing for the salary of said stenographer and fixing the duties of said office.

S. B. 167. An act to amend section 965, Carroll's Statutes, 1922 edition, fixing time for holding court in thirty-fifth judicial district, relating to circuit court, and declaring an emergency.

S. B. 187. An act to amend subsection 15 of section 965 of Kentucky Statutes, Carroll's edition, with reference to terms of circuit courts in counties of Gallatin and Owen, in the Fifteenth Judicial District of Kentucky, so that the July term of Gallatin circuit court will be changed to the fourth Monday in June each year and with twelve juridical days and June term of Owen circuit court will be changed to third Monday in July with eighteen juridical days, and change the February and October terms of Owen circuit court to begin on the first Tuesdays after the fourth Mondays in February and October.

S. B. 188. An act to fix and regulate the time of holding the terms of the circuit court in the Fifth Judicial District.

S. B. 286. An act to amend section 965, Kentucky Statutes, relating to the time for holding the terms of circuit court in the Twenty-first Judicial District, composed of the counties of Bath, Menifee, Montgomery and Rowan.

S. B. 333. An act to change the date of holding the three terms of the circuit court in Butler county, Kentucky, being part of the Eighth Judicial District.

With the expression of opinion that said bills ought to passs.

Said bills were read at length the first time and ordered to be placed on the calendar.

Mr. Wallen moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Wallen moved that the House do now recess until two o'clock p. m.

Said motion was agreed to.

Then the House recessed.

AFTERNOON SESSION

The hour of two o'clock p. m. having arrived, the Speaker resumed the chair and called the House to order.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 144. An act requiring drivers of motor vehicles on approaching, and before crossing a railroad track at a public

crossing to stop and listen for approaching trains before attempting to cross and providing a penalty for a failure so to do.

Together with an amendment thereto by way of substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be the duty of all drivers of motor vehicles, when on approaching, and before crossing a railroad track, at a public crossing, to stop and listen for approaching trains, and if there be such to remain at a reasonably safe distance from the track until such train, or trains, shall have passed.

§ 2. Any driver of a motor vehicle who shall violate the provisions of section 1 of this act shall be deemed guilty of a high misdemeanor, and upon conviction shall be fined in any sum in the discretion of the court or jury trying the case.

§ 3. Whereas, many lives are being lost at public crossings of railroad tracks by reason of carelessness and recklessness of drivers of motor vehicles, an emergency is hereby declared to exist, and this act shall become effective and be of full force and effect from and after its passage and approval by the Governor.

Said substitute is as follows, viz.:

An act requiring drivers of motor vehicles on approaching, and before crossing a railroad or interurban track, at a public crossing to stop, look and listen for approaching trains before attempting to cross, and providing a penalty for a failure so to do.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be the duty of all drivers of motor vehicles, when on approaching and before crossing a railroad or interurban track, at a public crossing, except at public crossings protected by watchmen and gates, or watchmen, to stop within not less than eight, nor more than fifty feet of said crossing, and shall there look in both directions along the track, and listen for the approach of any engine, car or train thereon.

The provisions of this act shall not apply to street railway tracks in any municipality.

§ 2. Any driver of a motor vehicle, who shall violate the provisions of section 1 of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than twenty dollars, nor more than one hundred ($100.00) dollars, in the discretion of the court or jury trying the case.

Provided, that the violation of this act, by any person or persons, shall not in any way change or alter the existing law fixing the duty or liability of railroad or interurban companies for damages to persons or property. And provided further, that this act shall not apply to automobiles or other motor driven vehicles of the police or fire department or hospital department of any municipality.

Mr. Jones offered the following amendment to said substitute, viz.:

Amend substitute for H. B. 144, that the last paragraph be wholly stricken out and the following inserted in lieu thereof:

"Provided, this is solely a safety measure and that the violation of this act by any person or persons shall not in any way change or alter the existing law fixing the duties or liabilities of parties growing out of any collision occurring at

such crossing, nor shall the violation of this act be admitted in evidence against any one suing in damages for injury to person or property resulting from such collision.''

Said amendment was then adopted.

Said substitute was then adopted as amended.

Ordered that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	E. J. Doss	Martin Light
T. H. Baker	Wm. M. Duncan	J. T. Linton
A. J. Baldridge	D. E. Edwards	R. D. McMurtry
J. H. Baughman	J. O. Evans	J. L. Manning
L. D. Bax	H. M. Fultz	J. W. Martin
W. B. Belknap	O. C. Gartin	G. W. Morgan
Homer Beliles	T. H. Golden	J. L. Morgan
C. W. Bennett	W. R. Haselwood	Wm. J. Moore
J. E. Bickett	H. C. Hawkins	E. D. Morris
W. M. Boling	Hector Johnson	Chas. A. Nelson
Wm. H. Bornhorst	J. Roy Johnson	E. E. Palmore
J. F. Bosworth	A. J. Jolly	J. J. Patterson
R. J. Cain	D. C. Jones	G. L. Perryman
Sherman Chasteen	H. J. Kegley	J. E. Robbins
Lee Clark	T. H. King	G. W. Shadoan
F. W. Collings	I. T. Layman	Lee L. Simons
L. F. Coomes	Oscar Leibson	W. M. Simpson
B. F. Day	Leon P. Lewis	F. L. Strange
J. R. Dorman	Leroy Lewis	D. D. Thornberry

W. S. Tinsley	W. S. Wallen	C. Westerfield
N. I. Toombs	E. C. Walker	
C. D. Vincent	W. D. Watkins	

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Those who voted in the negative were—

W. B. Ardery	L. J. Jeter	F. V. Nunnelly
Allen B. Cammack	T. J. Knight	Arthur Saunders
Sam Cole	John H. Lawson	Geo. W. Smith
J. L. Cushing	J. Will McFarlin	A. W. Stamper
G. L. Drury	W. J. McMurry	H. Q. Thompson
J. E. Hadden	E. B. Miller	M. E. Vaughan
J. W. Howard	Harry Miller	F. E. Wilson

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Resolved that the title thereof be as amended.

Mr. Wallen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 462. An act to exempt from jury service members of city and county boards of education; and also executive officers, superintendents, principals, teachers and other employes of such boards of education while the common schools are in session.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Members of boards of education, now or hereafter established, in any city of this Commonwealth, and members of county boards of education, shall be exempt from service on any grand or petit jury.

§2. That the executive officers, the superintendents, principals, teachers and other employes of boards of education of the cities and counties of this Commonwealth shall be exempt from service on any grand or petit jury while the common schools are in session.

§ 3. Any act in conflict herewith is hereby repealed.

§ 4. Whereas, the work of the public schools is being interfered with and its efficiency impaired by requiring jury service of those actually engaged in operating and administering the public schools of the state; now for the purpose of doing away as speedily as may be with the hurtful effect of these conflicting duties and because it is deemed unwise that one branch of the public service should harmfully interfere with another, an emergency is declared, and this act shall become effective immediately upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provisions as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	C. W. Bennett	J. F. Bosworth
T. H. Baker	J. E. Bickett	W. J. Brandenburg
A. J. Baldridge	S. A. Blackburn	W. B. Bush
J. H. Baughman	W. M. Boling	Allen B. Cammack
Homer Beliles	Wm. H. Bornhorst	R. J. Cain

Sherman Chasteen	T. H. King	E. E. Palmore
Lee Clark	T. J. Knight	J. J. Patterson
F. W. Collings	I. T. Layman	V. H. Redwine
J. L. Cushing	Oscar Leibson	J. E. Robbins
B. F. Day	Leon P. Lewis	C. W. Ryans
J. R. Dorman	Leroy Lewis	G. W. Shadoan
E. J. Doss	Martin Light	Lee L. Simons
G. L. Drury	J. T. Linton	W. M. Simpson
Wm. M. Duncan	J. Will McFarlin	Geo. W. Smith
J. O. Evans	W. J. McMurry	A. W. Stamper
O. C. Gartin	R. D. McMurtry	D. D. Thornberry
T. H. Golden	J. L. Manning	W. S. Tinsley
J. E. Hadden	J. W. Martin	N. I. Toombs
W. R. Haselwood	E. B. Miller	C. D. Vincent
J. W. Howard	Harry Miller	W. S. Wallen
R. O. Huntsman	G. W. Morgan	E. C. Walker
Hector Johnson	J. L. Morgan	C. Westerfield
A. J. Jolly	Wm. J. Moore	F. E. Wilson
D. C. Jones	E. D. Morris	
H. J. Kegley	Chas. A. Nelson	

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Those who voted in the negative were—

J. Roy Johnson	F. V. Nunnelly

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Resolved that the title thereof be as aforesaid.

Mr. Wallen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 60. An act to repeal and re-enact section 3485, Kentucky Statutes, 1915 edition, relating to personal representatives.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3485, Kentucky Statutes, 1915 edition, be and the same is now hereby repealed and there is now enacted in lieu thereof the following, to-wit:

§ 2485. A married woman shall have the right, power and authority, upon qualification as directed by law, to act in the capacity of executrix, administrator, guardian, trustee, curator or committee, or in any other personal representative or fiducial capacity now allowed to men, and all laws and acts now or hereafter in force with relation thereto shall be applicable in cases where women shall qualify. When the powers of one personal representative shall cease, the remainder may carry into execution the trust, or if none, administration *de bonis non,* and if there be a will with it, annexed.

Mr. Baughman offered the following amendments to said bill:

Amend H. B. 60 by striking out in section 1 the figures "3485" and by inserting in lieu thereof "3845" and in line 4 of the printed bill by striking out the figures "3485" and inserting in lieu thereof the figures "3845."

Said amendment was adopted.

Amend title by striking out of title the figures "3485" and insert the figures "3485" in lieu thereof.

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	T. H. Golden	E. D. Morris
W. B. Ardery	J. E. Hadden	Chas. A. Nelson
T. H. Baker	W. R. Haselwood	F. V. Nunnelly
A. J. Baldridge	L. J. Jeter	E. E. Palmore
J. H. Baughman	Hector Johnson	J. J. Patterson
Homer Beliles	J. Roy Johnson	G. L. Perryman
C. W. Bennett	A. J. Jolly	J. F. Reed
J. E. Bickett	D. C. Jones	J. E. Robbins
S. A. Blackburn	H. J. Kegley	Arthur Saunders
W. M. Boling	T. J. Knight	G. W. Shadoan
J. F. Bosworth	John H. Lawson	Lee L. Simons
W. J. Brandenburg	I. T. Layman	W. M. Simpson
Allen B. Cammack	Leon P. Lewis	Geo. W. Smith
R. J. Cain	Leroy Lewis	A. W. Stamper
Sherman Chasteen	Martin Light	F. L. Strange
Lee Clark	J. T. Linton	H. Q. Thompson
F. W. Collings	J. Will McFarlin	D. D. Thornberry
J. L. Cushing	W. J. McMurry	W. S. Tinsley
B. F. Day	R. D. McMurtry	N. I. Toombs
J. R. Dorman	J. L. Manning	C. D. Vincent
E. J. Doss	J. W. Martin	W. S. Wallen
Wm. M. Duncan	E. B. Miller	E. C. Walker
D. E. Edwards	Harry Miller	W. D. Watkins
J. O. Evans	G. W. Morgan	C. Westerfield
H. M. Fultz	J. L. Morgan	F. E. Wilson
O. C. Gartin	Wm. J. Moore	

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Those who voted in the negative were—

L. D. Bax L. F. Coomes

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Resolved, that the title thereof be as amended.

Mr. Wallen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 247. An act authorizing the boards of education of the cities of Kentucky and the county boards of education and the boards of trustees of independent graded school districts to provide for the education of children with defective eyesight, and for such purpose to provide special instruction for such children, and to secure and provide suitable books for such children.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The board of education of any city in this Commonwealth and the board of education of any county and the board of trustees of any independent graded school district are hereby authorized to provide for the instruction and education of children of proper school age who, by reason of defective eyesight, require special books or special instruction or both in order profitably and safely to attend the public schools in such city or county or district.

§ 2. The boards of education of such cities, counties and districts, for the purpose of giving instruction to children having such defective eyesight, are authorized to provide for and direct the teachers in the several schools thereof, as said boards may deem proper, to establish and maintain

classes for the instruction and education of such pupils having defective eyesight; and if such clesses are so established the said boards of education of said cities, counties and district shall be authorized to purchase and acquire such special equipment and books as may be proper and necessary for the use and instruction of such pupils on account of their defective eyesight; and such special books may be purchased and provided by said boards, or may be recommended to the parents of such children for purchase, and for the use of such children, although said books may not be included in the list of books selected for other children by Text Book Commission, or by board of education or by board of trustees.

§ 3. Pupils with such defective eyesight, as above mentioned, for whom special books may be provided or recommended, shall not be required to purchase or use the books adopted for general use for the other pupils, unless such books as have been adopted for general use may be used by the pupils with defective eyesight, without injury thereto and the instruction of such pupils with defective eyesight may be so arranged that instruction can be given to them separately or in connection with other classes, as may be deemed proper and best

§ 4. The board of education of any city or of any county or of any district, as hereinbefore mentioned, shall not undertake to provide for the instruction of pupils with defective eyesight and to purchase books therefor, except by permission and in pursuance of the advice and authority of the State Superintendent of Public Instruction; and such Superintendent of Public Instruction shall give such advice and permission as he may deem proper for such purposes, and shall prepare and distribute information to the different boards of education of said cities, counties and districts concerning the improved methods of such instruction, and the qualifications of teachers for such classes; and such Superintendent may require annual reports from such boards as shall have caused classes and instruction to be provided for

such pupils; and said Superintendent may designate one or more of his assistants to supervise the classes and instruction of children with defective eyeight, as herein provided for.

§ 5. Any board of education of any city, county or district, as herein provided for, may collect and expend such funds as may be proper and suitable for such instruction for children of defective eyesight, and for the purchase of equipment and books, as provided for in this act, in the same manner as funds are raised and expended for the maintenance of other school activities.

§ 6. Nothing in this act shall be so construed as to annul any law or regulation that may preclude from attendance upon the schools children afflicted with communicable eye diseases.

§ 7. This act shall take effect from and after its passage and approval, as provided by law.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	S. A. Blackburn	F. W. Collings
W. B. Ardery	W. M. Boling	L. F. Coomes
T. H. Baker	Wm. H. Bornhorst	J. L. Cushing
A. J. Baldridge	J. F. Bosworth	B. F. Day
J. H. Baughman	W. J. Brandenburg	J. R. Dorman
L. D. Bax	W. B. Bush	E. J. Doss
Homer Beliles	Allen B. Cammack	G. L. Drury
C. W. Bennett	R. J. Cain	Wm. M. Duncan
J. E. Bickett	Sherman Chasteen	D. E. Edwards

J. O. Evans	Martin Light	J. E. Robbins
H. M. Fultz	J. T. Linton	Arthur Saunders
O. C. Gartin	J. Will McFarlin	G. W. Shadoan
T. H. Golden	W. J. McMurry	Lee L. Simons
J. E. Hadden	R. D. McMurtry	W. M. Simpson
W. R. Haselwood	J. L. Manning	A. W. Stamper
J. W. Howard	J. W. Martin	F. L. Strange
R. O. Huntsman	E. B. Miller	H. Q. Thompson
L. J. Jeter	Harry Miller	D. D. Thornberry
Hector Johnson	G. W. Morgan	W. S. Tinsley
A. J. Jolly	J. L. Morgan	N. I. Toombs
D. C. Jones	Wm. J. Moore	J. Wood Vance
H. J. Kegley	E. D. Morris	C. D. Vincent
T. H. King	Chas. A. Nelson	W. S. Wallen
T. J. Knight	F. V. Nunnelly	E. C. Walker
John H. Lawson	E. E. Palmore	W. D. Watkins
I. T. Layman	J. J. Patterson	C. Westerfield
Oscar Leibson	G. L. Perryman	F. E. Wilson
Leon P. Lewis	V. H. Redwine	
Leroy Lewis	J. F. Reed	

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Resolved, that the title thereof be as aforesaid.

Mr. Wallen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 263. An act to amend and re-enact sections 2447-2 and 2447B of chapter 78, Kentucky Statutes, Carroll's edition, 1922, which chapter is entitled "Library State."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 2447-2 of chapter 78, Kentucky Statutes, Carroll's edition, 1922, which chapter is entitled "Library, State," be amended by striking out the words and figures seventy-five dollars ($75.00) wherever those words and figures appear in this section, and insert in lieu thereof the words and figures one hundred dollars ($100.00), so that said section when so amended and re-enacted shall read as follows:

There is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of one hundred dollars ($100.00) per month to be disbursed by the librarian for clerical services and for care of the general library, and other duties in assisting in taking care of the various departments of the library, and other duties imposed by law on the librarian. The Auditor of Public Accounts shall draw his warrant upon the treasurer at the end of each month for one hundred dollars ($100.00) in favor of such clerk, on certificate of the librarian that such services have been discharged.

That section 2447b of chapter 78, Kentucky Statutes, Carroll's edition, 1922, which chapter is entitled "Library, State," be amended by striking out the words and figures seventy-five dollars ($75.00) wherever those words and figures appear in this section and insert in lieu thereof the words and figures one hundred dollars ($100.00), so that said section when so amended and re-enacted shall read as follows:

That the librarian is hereby authorized to employ a bookkeeper at not exceeding one hundred dollars ($100.00) per month, payable monthly out of any money in the treasury not otherwise appropriated, as the salary of the Governor. The Auditor of Public Accounts is directed to draw his warrant upon the Treasurer on the last day of each month in favor of such clerk for the aggregate sum of one hundred dollars ($100.00).

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
Homer Beliles
C. W. Bennett
J. E. Bickett
S. A. Blackburn
W. M. Boling
Wm. H. Bornhorst
J. F. Bosworth
W. J. Brandenburg
R. J. Cain
Sherman Chasteen
Lee Clark
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
H. M. Fultz
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
R. O. Huntsman
L. J. Jeter
Hector Johnson
A. J. Jolly
D. C. Jones
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Oscar Leibson
Leon P. Lewis
Leroy Lewis
J. T. Linton
J. Will McFarlin
W. J. McMurry
J. L. Manning
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
Chas. A. Nelson
F. V. Nunnelly
E. E. Palmore
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. E. Robbins
C. W. Ryans
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
A. W. Stamper
F. L. Strange
H. Q. Thompson
D. D. Thornberry
N. I. Toombs
C. D. Vincent
W. S. Wallen
E. C. Walker
C. Westerfield
F. E. Wilson

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There voted in the negative—

J. W. Martin

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Resolved, that the title thereof be as aforesaid.

Mr. Wallen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 9. An act making an appropriation to the Kentucky Geological Survey and declaring an emergency.

Said bill is as follows, viz.:

Whereas, it has been shown that there are many good and workable and commercially important deposits of road building materials of various kinds and descriptions bountifully distributed in all of the counties of the State of Kentucky, and whereas, there is now a very great need for a much larger supply of the various road building materials as indicated by the demands for construction by the Kentucky Department of State Roads and Highways, and road contractors in and outside of Kentucky, and, whereas, there are many large and valuable unlocated and undeveloped deposits of minerals, ores and other substances in the State of Kentucky, adjoining and deposited with these various road materials, all of which are of great commercial value, and, whereas, information concerning same has never been adequately prepared and is not now available, and, whereas, the Kentucky Geological Survey has prepared a large number of reports on various mineralogical

and natural resource subjects and a large number of manuscript maps, all of which are in the hands of the state printer, but without funds with which to publish them and place them in the hands of the people of this state, in the interests of economy and road construction, and in the interests of making immediately available to the people of the state these and other valuable mineral resources, reports and maps pertaining to the hidden wealth of their properties, and thus advancing the general prosperity of the people throughout the state, and, whereas, much information concerning unused and undeveloped road materials and minerals can be prepared and furnished by the Kentucky Geological Survey, and, whereas, manuscript reports and manuscript maps can be published by the Kentucky Geological Survey with but small immediate financial equipment; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

(1) That for the purpose of making such and similar surveys as those indicated above throughout the state and for the printing and engraving of such maps and reports as shall properly pertain thereto and others now in the hands of the printer, and for such other general purposes of geological survey administration as may pertain thereto, including if desirable mapping or geological cooperation with the U. S. Geological Survey, there is hereby appropriated the sum of $17,000.00 per annum for the fiscal years ending June 30, 1924, June 30, 1925, and June 30, 1926, from any moneys in the state treasury not otherwise appropriated, and in addition to the appropriation made by the budget act of 1924. The Director and State Geologist, with the aid of his assistants, shall write and publish the results of these investigations as soon as possible. The printing and distribution of such maps and reports to be carried out by the Kentucky Geological Survey as provided for in chapter 34 of the Acts of 1920.

(2) Since there are much data and much information

in the hands of the Director of the Kentucky Geological Survey with relation to clays, road materials, building stones, fluorspar, coal, petroleum, etc., which would be of incalculable present use and benefit to the people of the State of Kentucky and to the public generally, in the form of field data, manuscript reports and manuscript maps, and since it is impossible to furnish the persons entitled thereto with the information, reports and maps without the necessary means for their publication, and since Kentucky is being greatly retarded in the proper development of its resources, particularly road building materials of various kinds by reason of a lack of this prepared and detailed information, an emergency is declared to exist, and this act shall be and become a law immediately upon its passage.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	W. J. Brandenburg	G. L. Drury
W. B. Ardery	W. B. Bush	Wm. M. Duncan
T. H. Baker	Allen B. Cammack	D. E. Edwards
A. J. Baldridge	R. J. Cain	J. O. Evans
L. D. Bax	Lee Clark	O. C. Gartin
W. B. Belknap	F. W. Collings	T. H. Golden
Homer Beliles	L. F. Coomes	J. W. Howard
J. E. Bickett	J. L. Cushing	J. Roy Johnson
W. M. Boling	B. F. Day	A. J. Jolly
Wm. H. Bornhorst	J. R. Dorman	D. C. Jones
J. F. Bosworth	E. J. Doss	H. J. Kegley

T. H. King	E. D. Morris	F. L. Strange
T. J. Knight	Chas. A. Nelson	H. Q. Thompson
I. T. Layman	F. V. Nunnelly	D. D. Thornberry
Leon P. Lewis	E. E. Palmore	W. S. Tinsley
Leroy Lewis	J. J. Patterson	N. I. Toombs
Martin Light	V. H. Redwine	M. E. Vaughan
J. T. Linton	J. F. Reed	C. D. Vincent
W. J. McMurry	J. E. Robbins	W. S. Wallen
J. L. Manning	Arthur Saunders	E. C. Walker
Harry Miller	G. W. Shadoan	C. Westerfield
G. W. Morgan	Lee L. Simons	F. E. Wilson
J. L. Morgan	W. M. Simpson	
Wm. J. Moore	Geo. W. Smith	

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Those who voted in the negative were—

C. W. Bennett	W. R. Haselwood	J. Will McFarlin
J. E. Hadden	L. J. Jeter	J. W. Martin

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Resolved, that the title thereof be as aforesaid.

Mr. Wallen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instances of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 87. An act appropriating twenty-five thousand dollars annually for the establishment, operation and maintenance of a sub-experiment station under the direction of the Agricultural Experiment Station of the University of Kentucky, prescribing the purpose of the sub-experiment station and the manner in which the appropriation is to be paid.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established on and in connection with the lands donated to the University of Kentucky by the E. O. Robinson Mountain Fund, a sub-experiment station to be known as the Robinson Sub-Experiment Station. Said sub-experiment station is to be a division of and to be directed and operated by the Agricultural Experiment Station of the University of Kentucky, heretofore established by an act of the General Assembly.

§ 2. It shall be the object and duty of the said sub-experiment station to conduct experimental work and carry on investigations in timber production, forest growth, forest renewal and the utilization of forest production, and it shall make such experiments as may determine the practicability of reforestation and the development of a permanent forest industry. The said sub-experiment station shall also conduct experimental work, investigations and demonstrations in the various phases of horticulture, animal husbandry and agriculture and such other investigations and demonstrations as bear directly upon the development of the agricultural industry of Eastern Kentucky.

§ 3. For the purpose of providing the necessary funds for the payment of salaries, cost of maintenance and operation of the said sub-experiment station and for carrying out the provisions of this act, there is hereby appropriated to the Kentucky Agricultural Experiment Station, out of funds of the state not otherwise appropriated, the sum of twenty-five thousand dollars ($25,000.00) annually. Such salaries and expenses of operation and maintenance as may be necesssry for the carrying out of the provisions of this act shall be paid from said sum herein appropriated, by warrant on the Auditor of Public Accounts, drawn by the director of the Kentucky Agricultural Experiment Station and countersigned

by the business agent of the University of Kentucky, and said business agent shall keep proper vouchers on file in his office for all expenditures.

Mr. Martin offered the following amendment to said bill, viz.:

Amend S. B. 87 by striking therefrom the words and figures "$25,000," in line 5, section 3, and substituting therefor the words and figures $18,000.

Said amendment was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. B. Ardery	R. J. Cain	T. J. Knight
T. H. Baker	Sherman Chasteen	John H. Lawson
A. J. Baldridge	L. F. Coomes	I. T. Layman
L. D. Bax	J. L. Cushing	Oscar Leibson
W. B. Belknap	B. F. Day	Leon P. Lewis
Homer Beliles	Wm. M. Duncan	Leroy Lewis
C. W. Bennett	H. M. Fultz	Martin Light
J. E. Bickett	O. C. Gartin	J. T. Linton
Wm. H. Bornhorst	J. E. Hadden	W. J. McMurry
J. F. Bosworth	J. W. Howard	J. L. Manning
W. J. Brandenburg	A. J. Jolly	E. B. Miller
W. B. Bush	D. C. Jones	Harry Miller
Allen B. Cammack	T. H. King	G. W. Morgan

J. L. Morgan	G. W. Shadoan	N. I. Toombs
Wm. J. Moore	Lee L. Simons	M. E. Vaughan
E. D. Morris	W. M. Simpson	C. D. Vincent
E. E. Palmore	Geo. W. Smith	W. S. Wallen
J. J. Patterson	A. W. Stamper	E. C. Walker
G. L. Perryman	F. L. Strange	W. D. Watkins
V. H. Redwine	H. Q. Thompson	C. Westerfield
J. F. Reed	D. D. Thornberry	F. E. Wilson
J. E. Robbins	W. S. Tinsley	

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Those who voted in the negative were—

J. H. Baughman	W. R. Haselwood	Chas. A. Nelson
W. M. Boling	L. J. Jeter	F. V. Nunnelly
E. J. Doss	H. J. Kegley	Arthur Saunders
J. O. Evans	J. Will McFarlin	
T. H. Golden	J. W. Martin	

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Resolved, that the title thereof be as aforesaid.

Mr. Wallen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 277. An act to provide for the establishment of a sub-station of the Agricultural Experiment Station in Western Kentucky under the control of the directors of the Agricultural College of Kentucky, and an appropriation of $20,000 annually to maintain same.

Together with a committee amendment thereto by way of substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That a sub-agricultural station be established in Western Kentucky for the purpose of advancing the agricultural interest of the State of Kentucky, the same to be under the direction and supervision of the directors of the State Agricultural College of Lexington, Ky.

§ 2. There is hereby appropriated out of the general fund of the state for the maintenance of said sub-agricultural station, to be located in Western Kentucky, the sum of twenty thousand ($20,000.00) dollars annually.

§ 3. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Said substitute is as follows, viz.:

An act to provide for the establishment and maintenance of a sub-experiment station of the Agricultural Experiment Station of the University of Kentucky, near Princeton, in Caldwell county, designating and prescribing the name and the purpose thereof and appropriating the sum of twenty thousand dollars ($20,000.00) annually for the operation and maintenance of said sub-experiment, and providing the manner in which the appropriation is to be paid.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That a sub-experiment station of the Agricultural Experiment Station of the University of Kentucky, to be known as the Western Kentucky Sub-Experiment Station, be and the same is hereby established near Princeton, in Caldwell county, on a tract of four hundred (400) acres of land, to be donated by the citizens of said county, for the purpose of advancing, fostering and promoting agricultural interests, and conducting experiment works, investigation and demon-

strations in the various phases of agriculture, horticulture, animal husbandry and such other investigations and demonstrations as bear directly upon the development of the agricultural interests of Kentucky, and to be under the control and supervision of the director of the Kentucky Agricultural Experiment Station.

§ 2. For the purpose of providing the necessary funds for the payment of salaries, cost of maintenance and operation of said sub-experiment station and for carrying out the provisions of this act, there is hereby appropriated to the Kentucky Agricultural Experiment Station, out of the funds of the state not otherwise appropriated, the sum of twenty thousand dollars ($20,000.00) annually. Such salaries and expenses of operation and maintenance as may be necessary for the carrying out of the provisions of this act shall be paid out of said sum herein appropriated, by warrant on the Auditor of Public Accounts, drawn by the Director of the Kentucky Agricultural Experiment Station and countersigned by the business agent of the University of Kentucky, and said business agent shall keep proper vouchers on file in his office for all expenditures.

§ 3. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Mr. Robbins offered the following amendments to said substitute, viz.:

1. Amend substitue to H. B. 277 by striking out of section 1, in the fourth line thereof, these words, to wit: "near Princeton, in Caldwell county."

Said amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Robbins and Huntsman were as follows, viz.:

Those who voted in the affirmative were—

Allen B. Cammack	E. J. Doss	Chas. A. Nelson
J. B. Clark	G. L. Drury	H. A. Pulliam
F. W. Collings	W. R. Haselwood	J. E. Robbins
J. L. Cushing	R. O. Huntsman	Geo. W. Smith
B. F. Day	W. J. McMurry	C. Westerfield

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Those who voted in the negative were—

W. L. Agee	Hector Johnson	J. L. Morgan
T. H. Baker	J. Roy Johnson	E. D. Morris
A. J. Baldridge	A. J. Jolly	F. V. Nunnelly
L. D. Bax	H. J. Kegley	E. E. Palmore
W. B. Belknap	T. H. King	J. J. Patterson
C. W. Bennett	T. J. Knight	G. L. Perryman
J. E. Bickett	I. T. Layman	V. H. Redwine
W. M. Boling	Oscar Leibson	J. F. Reed
W. J. Brandenburg	Leroy Lewis	Arthur Saunders
W. B. Bush	Leon P. Lewis	G. W. Shadoan
L. F. Coomes	Martin Light	W. M. Simpson
Wm. M. Duncan	J. T. Linton	A. W. Stamper
D. E. Edwards	J. Will McFarlin	D. D. Thornberry
H. M. Fultz	R. D. McMurtry	W. S. Tinsley
O. C. Gartin	J. L. Manning	N. I. Toombs
T. H. Golden	J. W. Martin	C. D. Vincent
J. E. Hadden	E. B. Miller	E. C. Walker
J. W. Howard	Harry Miller	W. D. Watkins
L. J. Jeter	G. W. Morgan	F. E. Wilson

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2. Amend substitute to H. B. 277 by striking out all of section 3 and by inserting in lieu thereof the following words:

§ 3. The said substation of the Agricultural Experiment Station shall be located at some convenient place near some city of the fourth or fifth class in some county in Kentucky situated west of the Louisville & Nashville R. R., running

between Henderson, Kentucky, and Guthrie, Kentucky. The location of said substation shall be determined by the regents of the State University, and in making the selection of the location they will take into consideration the various advantages that any particular county may offer, and also consider the value of lands or other property which any county or the citizens thereof may offer to donate to the state for such agricultural purposes. And they will also consider the needs of such community for instruction in agriculture. They will locate said substation within six months after this act shall take effect.

Said amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Huntsman and Martin, were as follows, viz.:

Those who voted in the affirmative were—

J. E. Bickett	G. L. Drury	H. A. Pulliam
Allen B. Cammack	W. R. Haselwood	J. E. Robbins
F. W. Collings	R. O. Huntsman	Geo. W. Smith
J. L. Cushing	W. J. McMurry	

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Those who voted in the negative were—

W. L. Agee	B. F. Day	A. J. Jolly
T. H. Baker	E. J. Doss	H. J. Kegley
A. J. Baldridge	Wm. M. Duncan	T. H. King
J. H. Baughman	D. E. Edwards	T. J. Knight
L. D. Bax	H. M. Fultz	I. T. Layman
C. W. Bennett	O. C. Gartin	Leon P. Lewis
W. M. Boling	T. H. Golden	Martin Light
J. F. Bosworth	J. E. Hadden	J. T. Linton
W. J. Brandenburg	J. W. Howard	J. Will McFarlin
W. B. Bush	L. J. Jeter	R. D. McMurtry
Lee Clark	Hector Johnson	J. L. Manning
L. F. Coomes	J. Roy Johnson	J. W. Martin

E. B. Miller
G. W. Morgan
J. L. Morgan
E. D. Morris
F. V. Nunnelly
E. E. Palmore
J. J. Patterson
G. L. Perryman
V. H. Redwine
Arthur Saunders
G. W. Shadoan
W. M. Simpson
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
C. D. Vincent
W. S. Wallen
W. D. Watkins

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Said substitute was then adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provisions as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
L. D. Bax
Homer Beliles
C. W. Bennett
J. E. Bickett
Wm. H. Bornhorst
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
R. J. Cain
Sherman Chasteen
Lee Clark
L. F. Coomes
J. L. Cushing
B. F. Day
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
H. M. Fultz
O. C. Gartin
J. E. Hadden
J. W. Howard
R. O. Huntsman
J. Roy Johnson
H. J. Kegley
T. H. King
T. J. Knight
I. T. Layman
Oscar Leibson
Leon P. Lewis
Martin Light
J. T. Linton
J. Will McFarlin
R. D. McMurtry
J. L. Manning
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
E. D. Morris
E. E. Palmore
J. J. Patterson
G. L. Perryman
H. A. Pulliam
V. H. Redwine
J. F. Reed
J. E. Robbins

G. W. Shadoan	D. D. Thornberry	E. C. Walker
Geo. W. Smith	N. I. Toombs	W. D. Watkins
A. W. Stamper	M. E. Vaughan	C. Westerfield
F. L. Strange	C. D. Vincent	F. E. Wilson
H. Q. Thompson	W. S. Wallen	

—65

Those who voted in the negative were—

J. H. Baughman	T. H. Golden	F. V. Nunnelly
W. M. Boling	L. J. Jeter	Arthur Saunders
Allen B. Cammack	John H. Lawson	W. M. Simpson
F. W. Collings	W. J. McMurry	
E. J. Doss	J. W. Martin	

—13

Resolved, that the title thereof be as amended.

Mr. Wallen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Wallen moved that the House do adjourn immediately upon the completion of the report of the Committee on Enrollments.

Said motion was agreed to.

Mr. Golden, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

S. B. 206. An act to provide for the construction of sewers in cities of the fourth class and to provide for the payment for the same, and repealing subsection 9 of section 3409, Kentucky Statutes, relating thereto.

S. B. 35. An act creating an Armory Commission.

Thereupon all other business was suspended and said bills were read at length and compared in open session and found to be correctly enrolled. Thereupon the Speaker, in open session, and in the presence of the House, affixed his signature thereto.

Ordered, that said bills be delivered to the Enrolling Clerk of the Senate.

And then the House adjourned.

THURSDAY, MARCH 6, 1924.

The House was opened with prayer by the Reverend I. W. Wilcox, of the Presbyterian church, Southern Assembly, of Frankfort.

The roll was called and the following members answered to their names, viz.:

W. L. Agee	Sherman Chasteen	J. E. Hadden
W. B. Ardery	Lee Clark	W. R. Haselwood
T. H. Baker	Sam Cole	J. W. Howard
A. J. Baldridge	F. W. Collings	R. O. Huntsman
J. H. Baughman	L. F. Coomes	L. J. Jeter
L. D. Bax	J. L. Cushing	Hector Johnson
Homer Beliles	B. F. Day	J. Roy Johnson
C. W. Bennett	J. R. Dorman	A. J. Jolly
J. E. Bickett	E. J. Doss	D. C. Jones
S. A. Blackburn	G. L. Drury	H. J. Kegley
W. M. Boling	H. C. Duffy	T. H. King
Wm. H. Bornhorst	Wm. M. Duncan	T. J. Knight
J. F. Bosworth	D. E. Edwards	John H. Lawson
W. J. Brandenburg	J. O. Evans	I. T. Layman
W. B. Bush	H. M. Fultz	Oscar Leibson
Allen B. Cammack	O. C. Gartin	Leon P. Lewis
R. J. Cain	T. H. Golden	Leroy Lewis

Martin Light	Chas. A. Nelson	A. W. Stamper
J. T. Linton	F. V. Nunnelly	F. L. Strange
J. Will McFarlin	E. E. Palmore	H. Q. Thompson
W. J. McMurry	J. J. Patterson	D. D. Thornberry
R. D. McMurtry	G. L. Perryman	W. S. Tinsley
J. L. Manning	V. H. Redwine	N. I. Toombs
J. W. Martin	J. F. Reed	C. D. Vincent
E. B. Miller	J. E. Robbins	W. S. Wallen
Harry Miller	Arthur Saunders	E. C. Walker
G. W. Morgan	G. W. Shadoan	W. D. Watkins
J. L. Morgan	Lee L. Simons	C. Westerfield
Wm. J. Moore	W. M. Simpson	F. E. Wilson
E. D. Morris	Geo. W. Smith	

The reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following bills were introduced, ordered printed and referred to the Committee on Rules.

By Mr. Redwine:

H. B. 588. An act relating to roads and highways.

By Mr. Bax:

H. B. 589. An act repealing section 1596a, subsection 3 of the Kentucky Statutes, Carroll's edition, 1915, relating to elections, election officers, special representatives, appointment, qualification, term, removal, vacancies.

By same:

H. B. 590. An act to exempt from jury service the president, secretary and treasurer of burial associations in counties containing cities of the first class.

Mr. Walker, of the Committee on Rules, reported bills of the following titles, viz.:

H. B. 585. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, relating to roads and bridges and providing for the establishment and designating the primary system of state highways in the Commonwealth of Kentucky, by adding thereto an additional project running from Eddyville, Lyon county, Kentucky, to Benton, Marshall county, Kentucky.

H. B. 562. An act to add to project 24, in Pulaski county, and including in the state primary system of roads, the route from Somerset to London, in Laurel county, by way of Ruth, Dykes, Mt. Victory and Rockcastle Springs.

H. B. 586. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto, as project —, extending from a point three miles east of Rochester, to Lewisburg.

H. B. 566. An act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of Kentucky of 1920, by adding thereto as project —, extending from Greenburg to Burkesville, via Milltown and Gradyville.

H. B. 567. An act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of Kentucky, by adding thereto as project —, extending from Hardyville to Leitchfield, via Canmer, Munfordville, Priceville, and Millerstown.

H. B. 561. An act to add to project 82, in Casey county, and including in the state primary system of roads, the route from Liberty, in Casey county, to a point on project 22, near the town of Eubank, in Pulaski county, by way of Bethelridge.

S. B. 307. An act adding a part of the Dixie Highway to the primary system of state highways.

S. B. 316. An act relating to roads and bridges.

S. B. 350. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto, as project —, extending from Lancaster to Nicholasville, via Buckeye.

S. B. 175. An act to amend project 37 of section 5 of chapter 17 of the Acts of 1920, entitled an act relating to roads and bridges.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar bills of the following titles, viz.:

S. B. 298. An act relating to streets and alleys.

S. B. 191. An act to amend chapter 17 of the Acts of the General Assembly of 1920, relating to roads and bridges.

S. B. 253. An act establishing and making the road leading from Owensboro, via Sorgho, West Louisville, St. Joseph and Beech Grove to Dixon, a part of the primary system of state highways of the Commonwealth of Kentucky and designating said road as project —.

S. B. 268. An act adding project 51½ to the primary system of state highways, established by act of 1920.

S. B. 279. An act to amend chapter 17, Acts of 1920 of the General Assembly of Kentucky relating to roads and bridges.

S. B. 300. An act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of Kentucky of 1920, by adding thereto as project —, extending from Princeton, Caldwell county, to Dixon, Webster county. via Farmersville, Flat Rock, Creswell and Shade Grove, Caldwell county, to Dixon, Webster county, via Providence, Webster county.

S. B. 284. An act to amend chapter 17 of the Acts of 1920, approved March 16, 1920, entitled, "An act relating to roads, and highways creating the Department of State Roads and Highways, providing for officers to administer it and prescribing the powers and duties of such officers; fixing the salary of the State Highway Engineer and prescribing the amount which may be expended by said department; prescribing laws governing said department and the officers therein; accepting the provisions of the federal law providing that the United States shall assist in the construction of rural post roads and making appropriation for cooperative work with the United States government; providing for the payment of the state's part of the construction of state aid roads under the present law; providing for the acceptance of and making binding gifts and donations; establishing and designating a primary system of state highways and providing for their construction and maintenance; providing for the obtaining of rights of ways and naming cities and towns from which construction shall commence; and repealing subsections 1, 2, 4, 5, 6 and 7 of section 4356t, Kentucky. Statutes, edition 1915; also repealing section 4356u, and subsections

1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 of section 4356x, Kentucky Statutes, edition 1915, and the supplement to said edition known as Vol. 3, repealing an other act or acts in conflict herewith'' by adding thereto and to the primary system of roads thereby establishing a road project extending from Stanton, the county seat of Powell county, Kentucky, by the way of Clay City, Kentucky, to Mt. Sterling, the county seat of Montgomery county, Kentucky.

S. B. 309. An act to amend project 63 of section 4356t-5, Kentucky Statutes, Carroll's edition, 1922, establishing a primary system of state highways.

S. B. 311. An act to amend section 5 of project 32 of chapter 17, Acts of the General Assembly, 1920.

S. B. 319. An act establishing a road leading from Covington, Kenton county, Kentucky via Decoursey, Whitetower, Nicholson, Walton, Florence, Burlington, Bellevue, Petersburg, Idlewild, Bullitsville, Hebron, Constance, Fairview, Broaley and Ludlow to Covington, in Kenton county, Kentucky.

S. B. 325. An act establishing road leading from Longridge to Williamstown, by Jonesville, Downingsville, Stewartsville to Williamstown.

S. B. 328. An act to amend chapter 17 of the Acts of the General Assembly of 1920, as approved by the Governor, March 16, 1920, relating to roads and bridges and creating a primary system of state highways by giving a more definite routing of the state highway system as named in said act in project 14, which reads ''from Morgantown to Munfordsville, via Brownsville and Mammoth Cave.''

S. B. 332. An act to repeal and re-enact paragraph 2, section 5, chapter 17, of Acts of 1920, same being paragraph 2, section 4356t-5, Kentucky Statutes, 1922, of roads and highways.

S. B. 334. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways, and establishing and creating project 10½A.

S. B. 338. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways, and establishing and creating project 2½A.

S. B. 341. An act to establish a road leading from project 9, at Maysville, Graves county, Kentucky, south to the Tennessee-Kentucky state line at Dukedom, Tennessee, to connect with the highway system of the state of Tennessee in Weakley county, Tennessee, with a highway of state system leading north from Fresden, the county seat of Weakley county, to Dukedom, Tennessee, in the Kentucky-Tennessee state line, to be designated as project 9a of the primary system of state highways.

S. B. 349. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto, as project —, extending from Lancaster to Danville, via Hodgeville.

H. B. 528. An act to provide for and regulate the publication, sale and distribution of opinions of the Court of Appeals as Kentucky Reports and Advance Sheets, and to repeal and re-enact subsections 3, 4, 5, 6, 7, 9 and 10 of section 955a, Kentucky Statutes, Carroll's edition, 1922, relating to

the publication, sale and distribution of the opinions of the Court of Appeals of Kentucky, commonly called Kentucky Reports, and Advance Sheets, and to repeal section 2429, Kentucky Statutes, Carroll's 1922 edition, relating to reports to be made by clerks of courts respecting lists of volumes of reports on hand, and to repeal and re-enact section 2426, Kentucky Statutes, Carroll's 1922 edition, relating to the distribution of the Kentucky Reports and designating the persons entitled to free copies thereof, and requiring of the county attorneys bond to the Commonwealth for the safe keeping and preservation of said books for use in his office.

H. B. 555. An act to classify producing oil leases, including all oil wells and all equipment thereon, actually used in producing oil.

H. B. 557. An act relating to schools and providing means of teaching adult persons of limited education.

H. B. 560. Act to repeal and re-enact section 4674, Kentucky Statutes, Carroll's edition, 1922, relating to the appointment, employment and qualification of teachers and course of study.

H. B. 563. An act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of 1920.

H. B. 569. An act to prohibit the spreading of false and malicious reports concerning the financial condition of corporations, cooperative associations and joint stock companies by their officers, employes, directors or by others formerly employed by them.

H. B. 572. An act to regulate the tolls charged by bridge companies spanning the Ohio river.

H. B. 574. An act to provide for the expenses of the Insurance Department.

H. B. 575. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, relating to roads and highways and establishing and creating project 10½B.

H. B. 576. An act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

S. B. 329. An act establishing the road from Oleocos to Napoleon, South Fork, Beaver and Richwood.

S. B. 326. An act establishing the road leading from project 49, at the Brissie Road to project 5, by Harris Musselman's, via Owen, Needmore, Holbrook and Lawrenceville.

S. B. 327. An act establishing a road running from Rocky Hill, Edmonson county, Kentucky, to Dixie Highway, at Fred Moore's place, as a state primary road and designating said road as project No. —.

S. B. 342. An act establishing a road leading from project 9, at Mayfield, Graves county, Kentucky, to and intersecting with project 7, at Clinton, Hickman county, Kentucky, and to be designated as project 7a.

H. B. 577. An act to establish the route of project 58½, relating to roads and highways.

H. B. 579. An act relating to the residence and salary of members of the State Tax Commission and to amend and re-enact sections 4114i-2 and 4114i-5, Carroll's Kentucky Statutes, 1919 edition.

H. B. 581. An act to amend and re-enact 824, Kentucky Statutes, dividing the state into three districts for the purpose of electing railroad commissioners.

H. B. 582. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of the 1920 session, approved March 16, 1920, which act relates to roads and bridges and the creation of the Department of State Roads and Highways, etc., by adding to said act project No. —, which shall run from Springfield, Kentucky, to Perryville, Boyle county, Kentucky.

H. B. 583. An act to amend section 256 of the Constitution of the Commonwealth relating to the amendments of the Constitution and the adoption thereof.

H. B. 294. An act providing a stenographer in the assistant county attorney's office in counties having a population of one hundred and fifty thousand or over, providing for the salary of said stenographer and fixing the duties of said office.

S. B. 167. An act to amend section 965. Carroll's Statutes, 1922 edition, fixing time for holding court in thirty-fifth judicial district relating to circuit court, and declaring an emergency.

S. B. 187. An act to amend subsection 15 of section 965 of Kentucky Statutes, Carroll's edition, with reference to terms of circuit courts in counties of Gallatin and Owen, in the Fifteenth Judicial District of Kentucky, so that the July term of Gallatin Circuit Court will be changed to the fourth Monday in June each year and with twelve juridical days and June term of Owen Circuit Court will be changed to third Monday in July with eighteen juridical days, and change the February and October terms of Owen Circuit Court to

begin on the first Tuesdays after the fourth Mondays in February and October.

S. B. 168. An act to fix and regulate the time of holding the terms of the circuit court in the Fifth Judicial District.

S. B. 286. An act to amend section 965, Kentucky Statutes, relating to the time for holding the terms of circuit court in the Twenty-first Judicial District, composed of the counties of Bath, Menefee, Montgomery and Rowan.

S. B. 363. An act to change the date of holding the three terms of the circuit court in Butler county, Kentucky, being part of the Eighth Judicial District.

Ordered, that said bills be read the second time.

The constitutional provisions as to the second reading of said bills at length being dispensed with, they were read the second time by their titles.

Ordered, that said bills be placed in the Orders of the Day.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

S. B. 97. An act to amend paragraph 21, section 2060A, chapter 63, Kentucky Statutes, Vol. 1, Carroll's edition, 1915, relating to State Board of Health, by adding thereto the language hereinafter set out.

S. B. 46. An act to amend subsection 6 of section 3235c, Kentucky Statutes, Carroll's edition.

S. B. 288. An act to amend and re-enact section 839 of the Kentucky Statutes, Carroll's 1922 edition.

S. B. 255. An act to authorize county officers to turn over to the Kentucky State Historical Society for preserva-

tion old books and documents no longer of use or value to the counties.

S. B. 98. An act to amend section 1746, article 12, chapter 47, Kentucky Statutes, Vol. 1, Carroll's edition, 1915, relating to fees, by adding thereto the language hereinafter set out.

S. B. 354. An act to provide for the construction, reconstruction, maintenance, altering, repairing or changing of sewers in cities of the third class and to provide for the payment for same and creating a lien therefor upon the property benefited and to repeal subsection 8 of section 3290, Kentucky Statutes, relating thereto.

S. B. 269. An act making it unlawful to operate a motor vehicle upon any of the public highways of this Commonwealth while intoxicated; prescribing the duties of sheriffs and other peace officers relative to the enforcement of this act; fixing penalties for persons violating said act and for officers failing to discharge their duties thereunder.

S. B. 404. An act entitled an act permitting the members of cooperative marketing associations to execute crop mortgages upon their products.

S. B. 322. An act to change the court calendar of Harlan county and to amend section 955, Kentucky Statutes.

Ordered, that said bills be read the second time.

The constitutional provision as to the second reading of said bills at length being dispensed with, they were read the second time by their titles.

Ordered that said bills be placed in the orders of the day.

By unanimous consent Mr. Bax introduced the following bill, entitled:

H. B. 591. An act to repeal and re-enact section 15 of chapter 54 of the Acts of the General Assembly of 1918, relating to idiots, lunatics and institutions for their care.

Said bill was ordered printed and referred to Committee on Rules.

Mr. Boling, of the House Investigating Committee of the State Board of Health, appointed under and pursuant to a resolution which originated in the House and adopted on February 1, made the following report, viz.:

To the General Assembly of Kentucky:

Report of House Investigating Committee of State Board of Health, pursuant to House Resolution dated February 1st, 1924. This committee, appointed by the Speaker of said House, convened at Frankfort, Kentucky, on February 2nd and proceeded to effect the following organization: W. M. Boling was elected chairman; J. Wood Vance was elected questioner. Miss Mary Jo Waters was elected official stenographer, and J. R. Mayes & Company, of Louisville, Kentucky, was elected special accountant.

Your committee has proceeded with the task of securing information concerning the State Board of Health and its operations in the following manner, to-wit:

1st. By letters sent to state health officers throughout the United States.

2nd. By letters sent to county judges throughout Kentucky.

3rd. By letters received from individuals.

4th. By the examination of the report of the Kentucky Efficiency Commission.

5th. By the examination of the report of State Inspectors and Examiners.

6th. By the interrogation of witnesses appearing before open meetings of the board.

7th. By reports submitted by J. R. Mayes, expert accountant, employed by this board.

Your committee has not had sufficient time to go fully into this matter, by reason of the fact that we are members of the General Assembly, and have been compelled to be in our seats in order to transact the business of the state, for which we were elected from our respective districts, and for the further reason that we have not been justified in going to too great an expense, without a specific resolution involving the matter of the expense. However, we feel that we have secured some very valuable information concerning the activities of the Kentucky State Board of Health, which we submit as follows:

History of the State Board of Health.

The State Board of Health of Kentucky was created by an act of the General Assembly, approved March 16th, 1878. It originally consisted of seven members, six of whom were appointed by the Governor, the seventh member elected by the board, who automatically, under the law, became, upon his election as secretary, a member of the board. The office of the board was in Frankfort, Kentucky, the State Librarian required to provide suitable quarters. The appropriation to the board was $2,500.00 per year. All the members of the board, including the secretary, were physicians.

Dr. M. J. Sawyer, of Frankfort, Kentucky, was its first secretary. Dr. Sawyer resigned on January 15th, 1880, and Dr. John J. Speed, of Louisville, Kentucky, was elected to succeed him. Dr. Speed resigned as secretary on October 1st, 1883, and Dr. J. N. McCormack, of Bowling Green, Kentucky, was elected to succeed him. Immediately after the

election of Dr. McCormack the office of the board was moved to Bowling Green, Kentucky, the home of Dr. McCormack, where it remained until the spring of 1919, when it was removed to Louisville, Kentucky.

Dr. J. N. McCormack continue to serve as secretary until he was succeeded by his son, Dr. A. T. McCormack, the present secretary.

Appropriations to the Board and Salary of Secretary.

As indicated above, the first appropriation to the State Board of Health was $2,500.00. Of this sum the secretary received a salary of $1,200.00. This continued until 1906, when the appropriation was increased to $5,000.00—the salary of the secretary remaining at $1,200.00. In 1900 the appropriation was increased to $30,000.00, the salary of the secretary remaining at $1,200.00. In 1918 the appropriation was very largely increased, many new bureaus created, and in 1920 the entire health law was rewritten, appropriations largely increased, the board given the power of fixing the salary of the secretary and the president, which they did, at $4,000.00 for the secretary, whose previous salary had been $1,200.00, and $1,200.00 per year for the president, he having previously served without pay.

For the fiscal year 1922 to 1923, as shown by the report of the efficiency commission, the total expense of the State Board of Health and its bureaus is shown to have amounted to the sum of $261,868.76, with the following bureaus:

Bureau of Bacteriology	$4,684.86
Bureau of Vital Statistics	7,594.35
Bureau of Sanitary Engineering	4,271.69
Bureau of Public Health Education	2,633.92
Bureau of Food, Drugs and Hotels	11,948.04
Bureau of Tuberculosis	14,055.14
Bureau of County Health Work	32,602.31
Bureau of Visiting Nurses	9,219.43

Bureau of Trachoma	11,529.52
Bureau of Venereal Diseases	29,839.55
Bureau of Medical Practice Act	3,120.50
Bureau of Child Hygiene	56,453.79

The heads of these bureaus received salaries ranging from $2,400 to $4,000.00 per year.

LETTERS FROM STATE HEALTH OFFICERS.

Your committee addressed a letter to every state health officer in the United States, except Kentucky, in which they were asked to give us the amount of their appropriation and to advise us the method of selection of the State Board of Health, and the state health officer. From the state of Alabama we are advised that the health officer is selected by a Committee of Public Health, subject to the approval by ballot of the State Medical Society.

From the state of Iowa, we are advised that the members of the State Board of Health are appointed by a board consisting of three members of the State Executive Council, that this Council consists of four physicians and one Sanitary Engineer, and that the Secretary is appointed by the board.

From every other state in the Union, except Iowa, Alabama and Kentucky, the Governor of the state with the consent of the Senate appoint the State Board of Health, or its executive secretary of same, or both. In other words, in forty-five states of the Union, the executive secretary is directly or indirectly appointed by the Governor.

LETTERS FROM COUNTY JUDGES.

Your committee addressed to each county judge in Kentucky the following letter:

County Judge of .....

.....

My Dear Sir:

As Chairman of a Legislative Committee, I am writing

to ask you what the Kentucky State Board of Health has done in your county during the past two years.

The records show that this board is spending a very large sum of money from the state and the claim is made by their friends that they are rendering a splendid service in the conservation of the health of our people. Their opponents, on the other hand, claim that they are rendering very little service, but that they have built up in each county something of a medico-political machine.

I am, therefore, addressing this letter to the county judge of each county in order that the facts may be brought out as far as possible.

An early reply addressed to me at Frankfort, Ky., will be appreciated.

Yours very truly,

(Signed) W. M. BOLING, *Chairman.*

A majority of the county judges have responded to this letter, and with but few exceptions the answers have been that the State Board of Health, notwithstanding its large increase, was doing practically nothing in the counties in the state.

Judge James M. Lang closes his letter as follows: "There has never been in the past forty years such an iron-bound, warranted not to leak, rip or tear medico-political organization in Kentucky, and probably not elsewhere, as is this board of health of our Commonwealth."

From the second district, Judge R. L. McFarland, of Daviess county, writes as follows: "Personally, I think the State Board of Health should be appointed by the Governor and the county boards of health appointed by the same authority in the county.

From the Third district, Judge W. B. Lindsay, of Brownsville, Kentucky, writes in part as follows: "The State Board of Health has done very little good in Edmonson county, if any. They were here in the year 1922, early part of

the fall, I think it was, camped up here at lock No. 6 on Green river for about two weeks, a mile above Brownsville, Kentucky. The doctors treated a few cases of trachoma and cut out a few tonsils. There were some five or six in this bunch, nurses and doctors. They all camped at the lock for two weeks, they worked for about four days."

From the Fourth district, Judge C. E. Graham, of Greensburg, Kentucky, writes of follows: "Replying to your letter of the 8th inst., in regard to the State Board of Health, if they have done anything in Green county, practically nothing, as far as I know."

From the Sixth district of Kentucky, Judge P. T. Stanley, of Bedford, Trimble county, writes as follows: "In reply to your queery, if the State Board of Health has rendered any service to Trimble county, I have forgotten what it was."

From the Seventh district, a mountain county is selected, because of the claim of special service rendered the mountain section, County Judge Clarence P. Sproul writes in part as follows: "The people of Irvine and Ravenna are of the opinion that we have no State Board of Health."

From the Eighth district of Kentucky, Judge I. T. Jewell of Spencer county, writes in part as follows: "I have no doubt that the State Board of Health has done much good in this state, but I do not know of anything it has done for Spencer county. I think the trouble is that board functions mostly around the head office."

From the Ninth district of Kentucky, Dr. R. C. Moore, county judge of Lawrence county, and a physician of Lawrence county, writes in part as follows: "Replying to your letter of the 13th in regard to the Kentucky State Board of Health, will say that if they have done anything in this county in the past two years it must be the building of the medico-political machine. The county health officer never fails to get busy just before the session meets every two years. If the State Board of Health has ever spent five cents in Lawrence county I would like to know when and what for."

From the Tenth district of Kentucky, Judge C. P. Moore, of Jackson county, writes as follows: "Kentucky State Board of Health has done nothing in this county within the last two years that I know anything about."

From the Eleventh district of Kentucky, Judge I. J. Howard, of Clay county, Manchester, Kentucky, writes in part as follows: "I have before me yours of the 6th inst., and have to advise you that if the State Board of Health has done anything in my county I do not know what it is. A dissolution of the organization would not hurt this county."

From McCreary county, Judge J. E. Williams writes in part as follows: "The fact is that the State Board of Health has rendered no service in McCreary county at any time during the six years that I have been in office. I hope you will use your influence and support the bill which abolishes the present health organization in Kentucky and creates a new one, which will render some service to the people."

These letters and numbers of similar ones speak for themselves and show that the State Board of Health has not rendered services in keeping the appropriation which they have received from the General Assembly.

THE REIGN OF THE MCCORMACKS.

It will be seen from the foregoing that Doctors J. N. and A. T. McCormack have been secretaries of the State Board of Health continuously since 1883. From the evidence produced it appears that Dr. A. T. McCormack, after the passage of the new law in 1906, was elected secretary of the State Medical Society, his father, Dr. J. N. McCormack, being secretary of the State Board of Health.

After some years Dr. A. T. McCormack was elected secretary of the State Board of Health, continued as secretary of the State Medical Society and now holds both positions. The State Medical Society recommends to the Governor three names from which list four of the members of the State Board of Health are selected by him. As their terms expire

the fifth member automatically becomes a member upon his election as secretary, the other four members being divided between the three former schools of medicine and one druggist has been added. In view of the fact that the State Board of Health is given the power under the law to name three out of five members of every county health board in the state, and the delegate to the State Medical Society is nearly always selected from this group.

The organization of the State Board of Health through the State Medical Society is made self-perpetuating.

Evidence of Political Activity.

That the State Board of Health and its Executive Secretary has been, and is perniciously active in politics is abundantly proven from the record before us. Various letters from county judges testified to this fact. The testimony of Dr. Whittenberg, former county health officer of Jefferson county, Kentucky, verifies this statement, as does the testimony of Dr. J. C. Mosley, of Henderson, Kentucky.

It is an admitted and well known fact that the attorney for the State Board of Health and the State Medical Society, Mr. Elwood Hamilton, was during the past year actively engaged in politics, in that he was the campaign manager for a Democratic candidate for Governor—made speeches throughout the state in support of the candidate whose cause he espoused—at the same time drawing a salary as attorney for the State Board of Health.

The most convincing proof, however, of political activity upon the part of the board is the propaganda and lobbying which has gone on during this session of the General Assembly. Immediately after the introduction of House Bill No. 35, which proposed to put the appointment of the members of the State Board of Health back into the hands of the Governor, where it used to be and where it now is in forty-five states in the Union, the desk of every member of this General Assembly was deluged with letters, petitions and tele-

grams. We also received telephone messages, and a large number of doctors came down to the Capitol to see us or got in touch with us over the telephone protesting against the passage of this bill. Various civic organizations were brought into action, all of which could not have been spontaneous, but was obviously the concerted propaganda of a well organized piece of machinery.

Dr. A. T. McCormack and his chief clerk, Miss Sullivan, admitted that the letters purporting to come from the League of Women Voters and the Parent-Teachers' Association were sent out from the office of the State Board of Health. In addition to this Dr. McCormack, Dr. J. S. Locke, Dr. Lillian South and Mr. James Blackerby have testified that they have been in Frankfort during much of the present General Assembly. That they have been here at the expense of the taxpayers of the state for the purpose of lobbying for and against legislation affecting the State Board of Health and its work.

The evidence before your committee discloses the fact that Mr. T. I. Munce is drawing a salary of $75.00 per month for doing publicity work for the State Board of Health. Mr. Munce is said to be a reporter for the Courier-Journal and Times—the money of the taxpayers appropriated for public health purposes is being used by a department of the state government to make newspaper propaganda in its own interest.

LEGAL FEES PAID OUT OF STATE APPROPRIATIONS.

The auditing of the accounts of the State Board of Health show that the sum of $1,250.00 was illegally paid to a group of lawyers in the year 1919. The General Assembly of 1918 abolished the State Board of Health and created a new board to be appointed by the Governor and confirmed by the Senate. Doctors J. N. and A. T. McCormack resisted this law in the courts and were successful. They employed for this purpose the firm of Bingham, Sloss, Tabb & Mann, to whom they paid check No. 349 in the sum of $500.00. The firm of Wright &

McElroy, of Bowling Green, Kentucky, to whom they paid check No. 350, amounting to $500.00, and check No. 351, $250.00, which was paid to Elwood Hamilton. In other words the McCormacks, father and son, paid out $1,250.00 of the people's money—money appropriated for the conservation of the health of the people, to their personal attorneys to save their jobs.

PURCHASE OF PROPERTY AT SIXTH AND MAIN STREETS.

As indicated above the Kentucky State Board of Health was moved from Bowling Green to Louisville, Kentucky, in the spring of 1919. They rented a piece of property located at Sixth and Main streets. This was an old property situated in that part of the city which is steadily declining by reason of the destruction of the Main street liquor business, serious impairment of the tobacco industry and of the jobbing trade. This property was for sale by the Louisville Trust Company as trustees of the Doerhoefer estate. As good business men as the McCormacks had the right to know that it was for sale. At any rate, we find that three real estate agents, C. C. Hieatt, Geo. W. Grant and Thomas Bohannon, knew that this property was for sale and they purchased it in August, 1920, for $1.00 in cash and other valuable consideration. They placed on the deed $30.00 worth of revenue stamps, indicating that the transaction involved about $30,000.00. As a matter of fact, in the evidence before your committee from Geo. W. Grant and Thomas Bohannon, they say they paid the trust company $20,000.00 for the transaction, and out of this received a commission of $1,200.00, making the net for the Doerhoefer estate $18,800.00.

All this time, bear in mind, the State Board of Health was renting and occupying the property. In March, 1921, we find the State Board of Health buying this property for $33,100.00, of which purchase price two of the real estate agents testified that they very generously donated $500.00 to the State of Kentucky. Having testified that they made a

profit of the difference between $18,800.00 and $33,100.00, we can see that they can very well afford to make this contribution.

The whole transaction would tend to show that the interests of the people of the Commonwealth were not being very well safeguarded by the Executive Secretary of the State Board of Health.

We are unable to find any warrant of law or any legislative authority for the purchase of this property at all, and would recommend that the whole matter be carefully looked into by the State Inspector and Examiner and the Attorney General of the state, and a suit instituted by the latter if the facts seem to warrant same.

Your committee is of the opinion that this property should be sold and the State Board of Health removed to Lexington and located at or near the sight of the laboratory of the State University.

USELESS JOBS UNDER THE STATE BOARD OF HEALTH.

We find under the State Board of Health the existence of a Bureau of Bacteriology. In view of the Act of the Legislature of 1918, making the Experiment Station of the State University the laboratory of the State Board of Health, this is in our opinion an utterly useless bureau, should be abolished and the money necessary to retain it should be withheld from the state appropriation.

BUREAU OF COUNTY HEALTH WORK.

This is a useless position, the chief of which receives a salary of $4,000.00. His activities are confined to a few counties and the work could easily be taken care of by the Secretary of the State Board of Health.

BUREAU OF PUBLIC HEALTH EDUCATION.

This is an utterly useless bureau and should be abolished.

BUREAU OF VENEREAL DISEASES.

This was originally established in connection with the federal government. Federal funds have been practically withheld and the work is largely restricted. A director of this bureau is unnecessary, the work could easily be carried on by a clerk under the direction of the Executive Secretary.

Several of the other bureaus could easily be merged under one head and much money saved the taxpayers, without in any way affecting the efficiency of the bureaus.

APPROPRIATION TO THE STATE BOARD.

The entire appropriation to the State Board of Health is out of keeping with the work done. The state of Tennessee, similar to Kentucky in almost every respect, appropriated in 1923, $77,320.00 for all purposes. We see no reason why the Kentucky appropriation should be greater than this.

DR. A. T. MCCORMACK, EXECUTIVE SECRETARY.

As indicated before, Dr. A. T. McCormack is the Executive Secretary of the State Board of Health at a salary of $4,000.00 a year and traveling expenses. He is also secretary of the Kentucky State Medical Society, which is interlocked with the State Board of Health, for which he testified he received a salary of $1,800.00 per year. He is, therefore, incidentally violating the Constitution in that he is receiving $800.00 more than the constitutional limit to a state official.

In addition he is not devoting himself entirely to the duties of his office, but among other things editing the Kentucky State Medical Journal from the office of the board at Louisville.

It might be added that Dr. Lillian H. South, who is head of the Department of Bacteriology, is the business editor of the Kentucky State Medical Journal, for which she receives an additional salary.

The expense account of Dr. A. T. McCormack, as shown by the accountant's report of the Auditor's books, are most

remarkable. For the fiscal year 1919 to 1920, his expense accounts is shown to have amounted to $2,004.00; for the fiscal year 1920 to 1921, it is as follows, $2,847.36; for the fiscal year 1921 to 1922, it is as follows, $2,610.80; for the fiscal year 1922 to 1923, it is as follows, $2,316.78.

We haven't time in a report like this to submit all of the data embraced in these expense accounts, but we find in the year 1919 to 1920 a single item of automobile hire from Frankfort to Georgetown of $10.00 and another of hotel in Frankfort seven days $41.29. The other items during that year consist largely of railroad fare and pullman to Chicago, railroad fare to New Orleans, railroad fare Wshington to Louisville and a club bill at Washington, D. C., of $58.54.

In the year 1920 to 1921, we find one trip to Pineville, which is the only state trip made throughout the year, but various trips to Washington City to a meeting of the Southern Medical Association, to Chicago and to Cincinnati.

In the year 1921 to 1922, we do not find a single trip to any point in Kentucky, but we find an expense account of $10.00 at the French Lick Hotel. Various trips to Washington with hotel bills, a railroad fare to Pittsburg and hotel bill at the Statler Hotel in St. Louis.

During the year 1922 to 1923 we do not find a single item of expense for any visits to counties in Kentucky, but we again find various expenses, trips to Washington City, including hotel and club bills at Washington. We find a trip to Ann Harbor, Michigan, to Chicago, to Detroit, to Cincinnati and to San Francisco, California.

Your committee is at a loss to know why the Secretary of the State Board of Health should find it necessary to visit the various cities throughout the country in the past few years in looking after the health of the people of Kentucky.

Dr. McCormack testified before the committee that he was out of the state from May until August, 1923, but that he drew his salary as state health officer during that time.

CONCLUSION AND RECOMMENDATIONS.

Your committee believes from the record before it that money is being appropriated to the State Board of Health which is entirely out of keeping with the service that is rendered, and recommends a substantial reduction in the appropriation.

Your committee is convinced from the records before it that the matter of selection of the State Board of Health and its executive secretary is fundamentally faulty, and that it should be changed.

Your committee is convinced from the record that the State Board of Health and its executive secretary has engaged and does engage in medico-political activities for the purpose of perpetuating itself, and that the only relief from this situation is a change in the law.

Your committee is convinced from the record before it that useless heads of bureaus are employed by the State Board of Health and that much economy could be effected by their abolishment.

The committee is convinced from the records before it that the executive secretary, Dr. A. T. McCormack, is not devoting proper time to the duties of the office which he holds.

All of which is respectfully submitted.

(Signed) W. M. BOLING,
Chairman.
(Signed) J. WOOD VANCE,
Member.
(Signed) HOMER BELILES,
Member.

Together with the following transcript of evidence taken by said committee, viz.:

The following parties were summoned to appear before the House Committee at the leather room of the Seelbach

Hotel, Louisville, Kentucky, on Saturday, February 16th, at 9 o'clock a. m.:

Dr. A. T. McCormack,
Dr. P. E. Blackerby,
Mr. Jas. Blackerby,
Dr. Lillian H. South,
Dr. J. S. Locke,
Dr. Jethra Hancock,
Dr. Ann Veach.
Miss Mamie Sullivan,
Dr. Irvin Lindenberger,
Dr. J. I. Whittenberg,
Dr. E. L. Henderson,
Dr. A. D. Wilmouth,
Dr. W. F. Boggess,
Dr. Curran Pope.

(Copy of Summons.)

Frankfort, Kentucky,
February 8, 1924.

.....

.....

You are hereby summoned to appear before the House Committee of the Kentucky General Assembly for the investigation of the Kentucky State Board of Health for the purpose of testifying before said committee at the Leather Room at the Seelbach Hotel, Louisville, Kentucky, on Saturday, February 16th, at 9 o'clock a. m.

Respectfully,

(Signed) W. M. Boling,
Chairman.

February 16th, 1924,
Seelbach Hotel, Louisville, Ky.

Mr. Boling, Chairman:

This meeting primarily is the meeting of the Investigation Committee to investigate the State Board of Health appointed by the Speaker of the House of Representatives, consisting of Mr. Vance, Mr. Beliles and myself, and we feel like that, inasmuch as this is our meeting and that I, as chairman, by authority of the committee issued the summons to the various witnesses to appear this morning, and furthermore, inasmuch as the two committees are separate committees, one appointed by the President of the Senate and the other by the Speaker of the House of Representatives, we feel like the investigation this morning should be continued by the Committee of the House of Representatives, however, we want the Senate Committee to sit with us and hear the testimony and the report that will be made, inasmuch as this is the Committee appointed by the Speaker of the House will be made by the three appointed by the Speaker, of course, we will not ask your concurrence in this report. Mr. Vance, Mr. Beliles and myself do not mean to be discourteous at all, but we feel like we are doing our duty as we see it.

Senator Caywood, Chairman of the Investigating Committee said:

Mr. Boling, as Chairman of the Senate Committee I went to you and asked you if it would be agreeable for us to be present at your meeting, didn't I?

Ans. Yes.

I also wrote you a note the other day and you did not make a written answer, but I saw you later and you said it would be perfectly satisfactory to meet with you. We do not wish to but in on your meeting; we are two committees and we believe in fairness and justice to both parties and to all concerned that it would be right for you to grant us the privilege of asking any questions that we might ask while we are having this hearing.

Mr. Boling, Chairman of the House Committee:

Now, I want to make myself clear; I do not wish to present myself in dictatorial manner or be contrary or anything of that sort, as I told the Senator from Bourbon, we have no objection to the Senate Committee sitting with us to hear the evidence, but we would not expect them to help us report, to sign the report to the House of Representatives; they are not a part of the House of Representatives; they were appointed by the Lieutenant Governor, or the President pro tem. of the Senate and we were, as I have told you, appointed by the Speaker of the House, and this was an entirely separate resolution. We have no objection to your hearing this testimony; this is an open meeting and we want to extend every courtesy and be as fair as it is possible to be. We are not here in the attitude of malicious inquiry, and I am here to say that we want to get the facts and we do not object to anyone getting the facts, and my point is this, inasmuch as it is not a joint meeting, that we will make our report, you men, if it suits your pleasure, may sit with us and hear the evidence.

Senator Beckham, attorney for the Board of Health:

I am here representing the State Board of Health, whose activities and conduct your Committee is preparing to investigate and the Senate has appointed a similar committee to investigate the State Board of Health and with a little larger power and authority than your committee, which ought to interest your committee, to investigate the activities of those who are making a fight on the State Board of Health. Now, for the life of me I cannot see why your House Committee should be unwilling to sit as a part of a Joint Committee with the Senate Committee. It is extraordinary. Is is not the truth that a committee of this kind wants—don't they want all the help they can get? If there is anything back of this investigation and all this supposed legislation that the legislature should know, that the people should know and that they will know, why not get it out?

We want a perfectly fair investigation, and I am going to be perfectly frank with the House Committee, I know you want me to be, the impression that exists with the friends of the State Board of Health, is that this committee has been appointed with the understanding that it is absolutely unfriendly with the State Board of Health, that its purpose is not to clear away all this business, but to prosecute and denounce.

That may not be true, I do not know, but I do know that the friends of the State Board of Health seem to have no opportunity in the House. The Senate has appointed an excellent committee of men, who stand as I in that body as in any other. They are here to ask co-operation and a full hearing and they invite you members of the House Committee to join with them in not only investigating the State Board of Health, but to investigate all of these rumors and charges that have been made about those who are attacking and prosecuting the State Board of Health.

We want these things to come to light, and in justice to yourselves, gentlemen of the House Committee, you should want them to come to light also. If some unseen power, some authority is being used over the members of the legislature to get them to prosecute and harass this great organization of the state it should be shown. We want to co-operate with you. The State Board of Health wants to co-operate and exhibit every record it has. It has been through these investigations for thirty or forty years, and they want you to know all of the facts about it. We make a formal request of you that you sit as a Joint Committee and hear all these things.

On behalf of the State Board of Health, I regret to make the statement that I am called on to do. As I said before, it is not my purpose to reflect upon the honor or integrity of you gentlemen who compose the House Committee, but the State Board of Health feels that it is entitled to a hearing, we have a right to demand and insist upon it that we have a hearing by joint committee, that this committee is hostile to it. The

chairman is the author of a bill aimed at the State Board of Health. If this committee wishes the State Board of Health very cheerfully asks for the fullest investigation sitting as a joint committee with the members of the Senate Committee. Otherwise the State Board of Health will have no part in your investigation except that it may legally be compelled to take and it will withdraw.

It is perfectly willing for a joint committee to make this investigation, but it will not avail itself of the offer which your resolution makes that they may sit here and we shall leave the matter entirely in the hands of you gentlemen and seek other means to put its case before the people of the state and before the General Assembly. We regret that we have to make this statement, but I cannot otherwise, than that they are entitled to be heard by the Joint Committee.

Mr. Boling, Chairman of the House Committee:

Just a few remarks that I feel called upon to make at this time. I am sure that Senator Beckham didn't mean exactly what he said. If the truth is brought out and this investigation sustains Dr. McCormack and the State Board of Health, no man will be gladder to sign the report than Boling and I resent the reflection cast upon these two gentlemen. You can say what you please about me—I am what I am. No man can make me different by what he may say or do. Speaking for myself, I believe in absolute fairness. I have been in the legislature three terms and everybody that has been associated with me knows that I play my cards on the table. I have no secrets from anybody and I am sorry that I drew the inference from what the honorable ex-Senator from Kentucky has said, and I feel called upon in justice to my associates to make this statement. I don't know what they think of it, but I know what I think and I do not appreciate at all the remarks made by Mr. Beckham.

Mr. Vance, member of the investigating committee of the House:

I am a little bit surprised at the remarks of Governor Beckham. In fact, to be as frank as the Governor said he was, I take the remarks as a rank insult. I have been a member of the Kentucky legislature, this will be five terms. My record is an open book, and I have never during those five terms had any such remark made about me. Dr. McCormack knows that heretofore I have been his friend. He knows that I have stood by him in all legislatures. He is a neighbor from the Third Congressional district and as the chairman, Mr. Boling, has said, if the State Board of Health is in the clear, if there is nothing wrong with it, there is no one, I assure you, who will sign a report to that effect with more pleasure than I.

I was put on this committee, I don't know why, but I am here pursuant to the resolution which passed the House unanimously, and I am here for the purpose of trying to do my duty. We are not here to harass or embarrass anybody, we are simply here to carry out the conditions of that resolution and I am very sorry that Governor Beckham, before we had entered into any proceedings whatever, should stand here before this committee in its face and make such flagrant charges as he has made.

Senator Beckham, attorney for the State Board of Health:

I did not want to say anything to reflect upon the honor of you gentlemen. I may have been a little too earnest about it. The fact is, that the State Board of Health and its friends have felt and it has been so stated to me that all three of you gentlemen are very unfriendly to it and that the chairman of the committee is the author of the "Ripper Bill." Mr. Chairman, you can see what effect this has on us, the bill I understand is aimed to destroy the State Board of Health, all we ask is that you follow the precedent of other legislatures in this investigation.

Mr. Boling, Chairman of the House Committee:

The statement that you made was the general opinion that this committee was "packed" and "hand-picked." Your information relative to that condition, Senator, is presump-

tion and hearsay. You get it from the friends of the State Board of Health.

Senator Beckham, attorney for the State Board of Health:

I have never discussed it with anyone; you are the author of the so-called ripper bill; the more I think about it I think things will be all right. I have nothing in the world against you men, all we want is a fair hearing on it, Mr. Chairman.

Mr. Beliles, member of the House Investigating Committee:

Mr. Chairman, just a word. The accusations that Senator Beckham makes, while I am glad he made them, I want to say that I have no ill-will against the Board of Health, Dr. McCormack or Dr. Lillian South, Dr. South's friends or my friends. As far as I am concerned I came into this to have it cleared and we want nothing only the straight of things, we want to do what is right and I am determined to see that it is done.

Mr. Vance, member of the House Investigating Committee:

I move that we exclude all parties from the room but the stenographer, the three Senators that compose the Senate Committee, those remaining in the room remain here as spectators and citizens and not officially.

The motion was seconded by Mr. Boling.

Senator Beckham, attorney for the State Board of Health:

We sit as spectators and that will mean that the House Committee doesn't recognize the Senate Committee. Let me look at the resolution.

Senator Beckham questioning Mr. Beliles:

Ques. Did you present this resolution?

Ans. Yes.

Ques. This is a copy of it?

Ans. Yes.

Ques. Who prepared this resolution?

Ans. I did, most of it.

Ques. Most of it, what part?

Ans. Senator, I would like to ask if there is anything wrong with this resolution?

Senator Beckham, attorney for the State Board of Health asked for a few minutes to talk to Dr. McCormack and the other gentlemen, and then make another statement to the Committee.

Senator Beckham, attorney for the Board of Health:

Do you mean to say that there be no official stenographer but Miss Mary Jo Waters, of Frankfort, Ky., and her notes be the notes of this meeting. I know her well, but the State Board of Health would like to have their official stenographer present to take the notes.

Mr. Boling, chairman of the House Committee:

It has been moved and seconded that all parties be excluded from the room but the House Committee and its official stenographer, the others remaining as spectators only, this is a public hearing. We want to hear the witnesses one at a time and we invite them and insist that they sit and hear the evidence.

Senator Beckham, attorney for the Board of Health:

In behalf of the State Board of Health, as I have said before, it is not my purpose to reflect upon the honor of you gentlemen of the House Committee, but you understand the way the State Board of Health feels in this. As I will say again we feel that you are hostile to the State Board of Health. The State Board of Health asks for the fullest investigation sitting as a joint committee with the members of the Senate Committee, otherwise we will have no part in your investigation except what it legally will be compelled to take.

Mr. Vance, member of the House Committee:

I want to be perfectly frank with the committee and the gentlemen present. The House Committee has the authority to sit by reason of a resolution that passed that body unanimously and independent of the Senate and the Senate has the authority to sit independent of any other body, and they are two separate committees. Senator Beckham says by inuendo

that this House Committee is looked upon with suspicion, but that the Senate Committee is composed of high-class gentlemen, and there is no suspicion upon them whatever. It appears to me that if the State Board of Health is above reproach and suspicion, Senator Beckham would not care to have the spotlight thrown upon him.

I want to be as frank as Governor Beckham, and at the same time I desire to be courteous, and I feel I am voicing the sentiment of this committee when I say that it is our belief that Senator Beckham is simply talking for the press and not to this committee.

Mr. Boling then interposed:

I would suggest if there are any reporters here for the Courier-Journal and the Times in reporting what Senator Beckham has to say, will they please say what myself and Mr. Vance has to say, and if they cannot quote both, don't quote any.

Mr. Vance concurred with the statement of Mr. Boling and continued:

I know I am giving my own sentiment at least that Senator Beckham is trying to create a prejudice against this committee. In other words, he is trying to make the investigation here himself. He is trying to go before the people of Kentucky before any lips have been opened to testify, before a single witness has been called, before any information regarding the State Board of Health can be given to the people good or bad, as it may be, he desires to come before this committee and has done so and made a speech to prejudice the minds of the people and the members of the General Assembly and we take it in that light that he is simply trying to talk to the people and not to this committee.

Senator Beckham, speaking to Mr. Vance:

Mr. Vance, you understand the request I have made is simply to co-operate with the committee of the Senate. What you say about talking to the press doesn't enter into it.

Mr. Boling, chairman of the House Committee:

Before I put that motion I want to make a statement. I know that it is not the purpose or the intention of these two gentlemen and myself to cast any sort of reflection upon the members of the Senate Committee, I know them all individually. I don't believe there is a man in Kentucky possessed of higher honor and duty than Senator Caywood. Senator Haselden, as far as I know, is for the things that are right and above reproach, and my friend, Senator Dycus, is so embodied with the idea of honesty that he felt himself called upon to go rather than to do that thing which he felt to be wrong, so they are all three men of the highest type of Kentucky manhood and we are casting no reflection upon them, they urged and invited us and we insistently invite them to stay and hear this testimony and if they deem proper they will clear the matter when they come to their own individual report and investigation, that they will know what has been brought out, the questions that have been asked, and I now ask this committee to proceed with the investigation and that all persons as witnesses be excluded from the room, those not witnesses may remain as spectators, and furthermore I move that Miss Waters, of Frankfort, take the notes.

Senator Caywood, chairman of the Senate Committee:

Mr. Chairman, I thank you very much for the compliment and want to express my position in a few words. I am a friend of the State Board of Health, but want to say that if an investigation shows that the State Board of Health is not functioning, I will sign an adverse report. If you watch my votes in the Senate you will see that I do not vote for or against a measure until I have gone over it thoroughly. As chairman of this committee, Mr. Boling, I wish to say that if we are to have no hand in this investigation, but to sit as nonentities, have no part, I move we will withdraw.

Senator Haselden, member of the Senate Committee:

To be appointed on this committee was a surprise to me, I was simply called on the Senate Committee to investigate the State Board of Health. I presumed when we came down

here we were to meet with the House Committee and to hear the testimony on either side. Frankly, I am friendly to the State Board of Health. I move as there are three members of the Senate Committee and three members of the House, we have a joint session and elect a chairman and have a fair and square meeting. How would it look to the state to say that the committee of the House refused to meet with the committee of the Senate, after the committee of the Senate had consented to meet with it? We are perfectly willing to cooperate in any way we can and to investigate the State Board of Health from A to Z and give report.

Senator Dycus, member of the Senate Committee:

I was appointed on this committee. I did not know that I was to be appointed on this committee; I presumed it was a to be a joint session, but the motion has been made and carried by the House Committee that they have a separate investigation. I am willing to withdraw and let you gentlemen take the responsibility to the House. I believe you want to do the right thing and when we have an investigation we will take it as it comes to us.

Mr. Boling, chairman of the House Committee:

Perfectly right. I want to say to the House and Senate Committees I don't know what evidence will be brought out for or against. I don't make a statement until I hear what is presented, and that is as far as I can go and no further.

Mr. Boling, chairman of the House Committee:

Ques. Do you swear that the testimony that you are about to give is the truth and nothing but the truth, so help you God?

Ans. I do.

Questions by Mr. Vance, member of the House Committee:

Ques. State your name, age, residence?

Ans. A. T. McCormack; 52 years of age, 1629 South Third street, Louisville, Ky.

Ques. What is your official position?

Ans. Secretary of the State Board of Health and special committeeman to the United States Public Health Service.

Ques. How long have you held these positions?

Ans. I was Secretary of the State Board of Health from October 15, 1912, until I was ordered on duty during the war, I resigned then, and on my return from the army I was re-elected. I have been special committeeman to the United States Public Health Service about five years—since the war.

Ques. Who held the position before you?

Ans. Dr. J. N. McCormack, my father, since 1882 until 1912, and he was elected to this position during the war. Before him the secretaries were Dr. N. ——— and Dr. J. B. Speed, both of whom have died many years ago and Lunchell Yandell was secretary for one day.

Ques. Doctor, what is your salary?

Ans. $4,000.00 a year. It was $1,200.00 a year from 1878 until January 1st, 1923.

Ques. Doctor, I understand you hold the position of Secretary of the State Board of Health and what other position?

Ans. Special Committeeman to the United States Health Service.

Ques. What salary do you draw from the latter position?

Ans. None. When I am ordered on duty they pay me my expenses, part of them.

Ques. Are you connected with the State Medical Society?

Ans. I am secretary of the State Medical Society.

Ques. Does that pay any salary; if so, how much?

Ans. $1,800.00 per year.

Ques. Doctor, define briefly your duties with these positions?

Ans. As Secretary of the State Board of Health I keep its records and look after its property. I am in charge of the

public health work of the state acting under instructions from the board of health. I have charge of the Child Hygiene and County Health Work, Foods, Drugs and Hotels, Trachoma, Sanitary Hygiene, Venereal Diseases and Statistics. I am also the Dean of the School of Public Health, which operates in co-operation with the State Board of Health. I am connected with the State University Laboratory Work.

Ques. Give the names of all heads of bureaus, assistants and employes of the State Board of Health and the salary of same?

Ans. I will file chart which shows the names and addresses and salaries.

Ques. Where is the State Board of Health located?

Ans. At the corner of Sixth and Main streets., Louisville, Kentucky.

Ques. Who owns the property, Doctor?

Ans. Commonwealth of Kentucky.

Ques. From whom was this property purchased, and when?

Ans. Purchased March 9, 1921, from G. W. Grant, Thomas Bohannon and Mr. Hieatt.

Ques. Did the Legislature appropriate funds?

Ans. They appropriated $7,500.00 to pay one-third of the unpaid balance.

Ques. What did it cost; the total purchase price?

Ans. $33,100.00.

Ques. How much of it is now unpaid?

Ans. $9,000.00 balance principal due.

Ques. $9,000.00?

Ans. Yes; the Legislature appropriated $7,500.00; the balance has been paid from other funds.

Ques. What other funds?

Ans. The property, situated at the southeast corner of Sixth and Main streets, Louisville, Kentucky, formerly housed the Union National Bank, the Citizens National In-

surance Company and the Spencerian Commercial School, was purchased March 9th, 1921, for $33,100.00; of that amount $10,100.00 of that amount was paid in cash, $8,000.00 was evidenced by 40 notes for the sum of $200 each, payable monthly with 6% interest, the balance a mortgage to the Equitable Life Assurance Company. On March 9th the sum of $10,000.00 cash was paid, that was made as follows: Mr. G. W. Grant made a donation of $500.00; Mr. Thomas Bohannon made a donation of $500.00. Check No. 48-A, March 1st, 1921, was made payable to George W. Grant, agent, from the Practice Act Fund of State Board of Health of $8,500.00, and the check showed that it was drawn (to acquiring of permanent quarters for the administration and enforcement of Medical Practice Act) and check No. 49-A, March 23rd, 1921, on the Practice Act Fund of the State Board of Health to Geo. W. Grant, agent, to the acquiring of permanent quarters for the administration and enforcement of Medical Practice Act, of $600.00, making the total amount of $10,000.00. These checks were drawn with the approval of the Sinking Fund Commission. The Sinking Fund Commission had the value of the building appraised by Mr. J. C. Murphy, an architect; he was the architect of the building; said we got the building at a very unusual price. The owners of the building were offered $40,000.00 for it, and when they came and told us that, we told them we could not pay that much for the building; they were men of unusual character, and after some discussion decided to take $33,100.00, and as I have said before, Mr. Grant and Mr. Bohannon gave them their checks for $500.00 as donation on that purchase price.

The University of Louisville gave its note for $8,000.00 and the trade came near going through right then because the owners would not accept the note. I went and found that they owed considerable money, and I sold $10,000 of my liberty bonds for $8,000.00 cash and bought the note myself for $8,000.00. I knew the building was bought at a cheap price,

and I knew that I lost the difference between $10,000.00 and $8,000.00.

When the Legislature met Governor Morrow, Mr. Vaughn, Mr. Craig, Mr. Wallace and General Dawson, composing the Sinking Fund Commission, went before the Budget Commission and recommended that the state appropriate $3,500.00 to cover one-third of the balance owing on the building, that was $22,500.00.

Now on March 9, 1921, University of Louisville gave its notes for $8,000.00; I bought them for $8,000.00 and on March 21, 1921, we gave our check for $8,000.00 for the State Board of Health for its notes and on that same date the State Board of Health gave its note No. 942-A to Geo. W. Grant, agent (to the amount in full for cash payment on purchase of building, southeast corner Sixth and Main streets, Louisville, Kentucky). On July 1st, 1922, the date the appropriation became available No. 1-A from the State Board of Health to Drs. J. N. & A. T. McCormack, reimbursement for taking up note of University of Louisville, $8,000.00, in full and interest for the payment of one-third the balance on the purchase price of the State Board of Health building at Sixth and Main streets, Louisville, Kentucky). The balance of principal on the note of $500.00 was paid by the University of Louisville, the interest on $8,000.00 from March 17th, 1921, to June 17th, 1922—one year and three months, was $600.00, and was paid to J. N. and A. T. McCormack by the University of Louisville. The interest for one year at 6% was $480.00, and for 105 days, from March 17th to June 30th, was $140.00, a total of $620.00, and the additional $20.00 interest was paid to J. N. and A. T. McCormack. That left a mortgage of $15,000.00, payable to the Equitable Assurance Society, on the building, southeast corner Sixth and Main streets, Louisville, Ky.

On June 30th, 1921, check No. 77, from the Practice Act Fund was drawn to the Equitable Life Assurance Society for the $900.64, with this notation (To acquiring of per-

manent quarters for the administration and enforcement of Medical Practice Act); this was applied as follows: Principal $542.26, interest 2-1-21—7-13-21 on $542.26, $14.65, and the interest on the balance ($14,457.74) was $433.73.

On June 30, 1922, check No. 57 on Practice Act Fund was drawn to the Equitable Life Assurance Society of the United States on mortgage to acquiring of permanent quarters for the administration and enforcement of the Medical Practice Act, this was applied on the principal.

On June 30th, 1922, from the Red Cross fund, check No. 131 was drawn on the Equitable Life Assurance Society of U. S., balance on the installment of principal due August 1, 1921, $1,457.74.

On June 30th, 1922, State Board of Health check No. 1296 was drawn on the Equitable Life Assurance Society of U. S. Mortgage on notes to acquiring of permanent quarters for the administration of the State Board of Health, $1,757.58 applied as follows: On the principal $1,318.91, interest from 2/1/-2/26/22 on $1,457.74, $35.23 interest from and to the same dates on $681.09, $16.91 interest from and to the same date on $1,318.91, $33.41 interest from the same date to 8/1/22 on $11,000.00, $330.00. Overpayment on this check of $2,312 was returned.

Ques. Doctor, you have that data there, will you file it as an exhibit?

Ans. Yes, I will file it. (Same was filed as Exhibit B.)

Ques. What was the amount of the appropriation to the State Board of Health per year beginning July 1st, 1900, and ending July 1st, 1923?

Ans. Let me just begin; from 1878 to 1900 the appropriation was $2,500 per year, total appropriation. Governor Beckham had the appropriation increased to $5,000. In 1910 the appropriation was increased to $30,000, in the meantime the pure food commission was created and an appropriation of $30,000 was made to it. The State Tuberculosis Commis-

sion was created at an appropriation of $15,000, and was later increased to $25,000.

Ques. Will you file a report of that?

Ans. Yes.

Ques. Do you know, Doctor, under whose permission an indebtedness was placed on the State Board of Health or its buildings?

Ans. I don't understand you.

Ques. What provision of the law gave you the right to buy this building?

Ans. I don't know exactly; the Attorney General said there was a section that pertained to it, but I have forgotten.

Ques. How much time do you give to your duties?

Ans. All of my time.

Ques. Doctor, it has been reported and some parties have stated to us that you were absent from Kentucky nearly all of the time from May until August?

Ans. I left here the night of June 7, 1923, to attend an exposition in Washington. I left there for San Francisco to attend another exposition, and while there was sick and under the doctor's care, that is the only time I have ever been off or had a vacation.

Ques. You drew your salary during that time?

Ans. Of course, I was on official duty.

Ques. Who is the attorney for the State Board of Health?

Ans. Beckham, Hamilton & Beckham.

Ques. Is this the same Elwood Hamilton that was campaign manager for the Democratic candidate for Governor in the primary, 1923?

Ans. I really don't know. I was absent from the state during that time.

Ques. Were you absent from the state all of the time the campaign was going on?

Ans. I was here when Mr. Barkley and Mr. Cantrill

announced and I saw them once of twice during the early part of the compaign.

Ques. As I understand you, you did not know that Mr. Elwood Hamilton was Mr. Barkley's campaign manager?

Ans. No, I did not know it.

Ques. Did you take any part officially or individually in that campaign?

Ans. I did not. The State Board of Health is held aloof from politics and takes no part at all.

Ques. Did you take any part in the nomination of the Democratic candidate for Governor after the death of J. Campbell Cantrill?

Ans. No, sir. The only connection I had was when they asked me to be present when they wrote their platform. For many years I have been asked to assist them.

Ques. Did you not send Dr. Wilson Smock, of Greenville, Kentucky, to Gulf Port, Miss., for the purpose of influencing Dr. J. M. Ferguson, a member of the Democratic State Central Committee for the Third Congressional district of Kentucky as to how he should vote in the selection of the successor to the Hon. J. Campbell Cantrill?

Ans. I did not.

Ques. Did you influence or attempt to influence county health officers in different counties in the state to approach the Democratic nominee for Governor during the recent campaign in an effort to get him to commit himself in regard to your perpetuation in office?

Ans. I did not, but I will tell you about that. When the campaign started and before I left home I was informed by many physicians throughout the state that Mr. Board said Mr. Cantrill was for the Ripper Bill. I knew it wasn't true, that Mr. Cantrill never made any such statement, he told me so himself, and Dr. C. K. Carrick, a cousin of his in Lexington, also wrote me it wasn't true. I knew that the statement was not true because Mr. Cantrill had always been a supporter of the Board of Health, and that the people of the state may

know his attitude in the matter, Dr. Lewis Frank wrote a letter to the secretary of each of the medical societies.

Ques. Did you contribute to the campaign fund of any party or candidate during the recent campaign?

Ans. I did not. I can't say whether any of the members did or not.

Ques. Was any given to your knowledge?

Ans. No, sir.

Ques. Doctor, it has ben told by members of the legislature that you have been instrumental in getting doctors to run for the legislature?

Ans. I never asked a man to run for the legislature in my life.

Ques. Did you suggest that a certain man be elected to the legislature from Barren county?

Ans. No. When?

Ques. In 1918?

Ans. Did your father?

Ans. He was too smart a man for that. I want to assure you that you are the last man on earth that father would ask anyone to run against.

Ques. Do you know Mr. Frank Dugan?

Ans. I was introduced to him by Dr. Board.

Ques. Do you know his connection with the Democratic organization?

Ans. I know he is a big factor in the Democratic affairs of Jefferson county.

Ques. Doctor, after the November election, when it was seen that there would be three Democratic Senators from the city of Louisville and five Democratic members of the General Assembly of the Lower House, did you send to Mr. Frank Dugan a proffer of a donation for campaign purposes?

Ans. I did not; never thought of such a thing.

Ques. Who is the publisher of the Kentucky State Medical Journal, of which you are the editor, and where is it published?

Ans. The Times-Journal Publishing Company, of Bowling Green, and have published it since it was established in 1901. The Times-Journal has always been the lowest bidder. I am the editor of the Journal.

Ques. Doctor, I hand you a letter signed by Mrs. E. L. Hutcheson, on the stationery of the League of Women Voters of Kentucky, and wish to ask you if you had anything to do with the sending out or circulation of this literature?

Ans. I had nothing to do with it, but I will say that I have probably the best mailing list in the United States of those interested in public health. We secured them in this way—all the state organizations, the State Bar Association, the Farmers Bureau, and all the Women's Clubs of Kentucky furnished us with their mailing list—it would have been very expensive to secure such a list, and for giving us this list we address letters for them on the addressograph in connection with their matters we multigraph letters for them. I never saw this letter until right now, but if this letter was multigraphed in our office—I don't know that it was—I don't doubt there was every reason that it should have been in regard to our matters of any other matters that they desire to have multigraphed. This mailing list has been furnished to the campaign committee of both political parties. We have the best list of the official representatives of the state, and we are very proud of it.

Ques. Doctor, I hand you another letter signed by Miss Jessie Yancey, on the stationery of the Parent-Teachers Association of Kentucky; I will ask if this was sent out from your office?

Ans. I don't know; we have the mailing list for the Parent-Teachers Association.

Ques. Has Miss Yancey been recently employed in your office.

Ans. She was until I secured for her a position in Fayette county, at a much larger salary. I would like to say that the State Registrar of Vital Statistics of Indiana was in our

office, and we paid him $60.00; they pay him $5,000.00 per year. The State Sanitary Engineer of Florida was in our office and we paid him $72.00 per month; he is now getting $5,000.00 per year. The public health employes in other states are paid three to ten times the salary they get in Kentucky.

Ques. I wish to ask you if the stamps are paid by the state to send out those letters?

Ans. No, sir. They always bring their own stationery and stamps.

Ques. Doctor, as I understand it, you get $4,000.00 as secretary of the State Board of Health and $1,800.00 as Secretary of the State Medical Society; that makes a total of $5,800.00 actual salary you draw?

Ans. Yes.

Ques. Do you hold any other office with a salary?

Ans. No. I hold a good many offices in medical associations, none of them are remunerative—all honorary. These offices were given me not because of the man, but because of the State Board of Health of Kentucky, which is recognized throughout the nation. I cannot recall each of these offices, but you will find them in "Who's Who."

Question asked by Mr. Boling:

Ques. Have you sent any letters or telegrams asking the doctors or your friends to send letters or telegrams or communications asking the members of the General Assembly to defeat House Bill 35?

Ans. I did not.

Question asked by Mr. Vance:

Ques. Can you tell me how many employes you have; part time and all time employes?

Ans. We have no part time employes; I should judge we have about 120 employes.

Questions asked by Mr. Beliles:

Ques. Could you tell me as to their political faith?

Ans. I haven't an idea. Gov. Morrow asked for it after the General Assembly, but the board declined to give it.

Ques. Doctor, what time were you in and out of the state from the first of June up until the August primary?

Ans. I was out of the state most of the time from the 20th day of May until I got back on the night of the primary.

Ques. Then, Doctor, I understand you that you mean to tell the committee that you did not know that Mr. Hamilton was Mr. Barkley's campaign manager?

Ans. No; I did not know it.

Ques. Doctor, you mean by that then that you hold out to the people of Kentucky that the State Board of Health takes no hand in politics; you have taken no interest at all?

Ans. I know about things that are going on, but take no hand in them; never have since I have been with the State Board of Health. Of course, when I was a citizen in Bowling Green I did.

Ques. I would like to ask if you have written letters, telephoned or wired to physicians regarding legislation?

Ans. I have called them up a great many times in regard to certain legislation regarding the State Board of Health. I will be glad to file the letter that has been written.

DR. P. E. BLACKERBY.

Witness sworn by Mr. Boling, Chairman.

Do you swear the testimony that you are about to give is the truth and nothing but the truth, so help you God?

Ans. I do.

Questions asked by Mr. Vance:

Ques. State your name, age and residence?

Ans. P. E. Blackerby, age 42, residence, Louisville, Kentucky. Assistant Secretary of the State Board of Health and Director of Bureau of County Health Work.

Ques. What is your salary?

Ans. $4,000.00 per year.

Ques. Do you devote your entire time to the duties of your office?

Ans. I do.

Ques. Do you hold any other position which holds a salary; if so, what?

Ans. I do not.

Ques. I will ask you if you are secretary of a Medical Officers Reserve Board?

Ans. No, sir.

Ques. Have you ever held such position?

Ans. No, sir.

Ques. Do you hold any other positions excepting those mentioned above?

Ans. I am Asst. Secretary of the Medical Veterans of the World War, I believe.

Ques. What salary does that position pay?

Ans. I don't receive a salary for that.

Ques. Define briefly your duties in connection with the State Board of Health?

Ans. I began the work that I have at present with the State Board of Health prior to the death of J. N. McCormack. I have supervision and direct the county health work in the state; that is a cooperative work, and then I was made Assistant Secretary to the State Board of Health, and assist in executive matters relating to the State Board of Health.

Ques. Doctor, I will ask you to file a report or schedule of all persons that work under you within the next week.

Ans. Will be glad to do that.

DR. LILLIAN H. SOUTH.

Mr. Bowling swears witness.

Do you swear that the testimony that you are about to give is the truth and nothing but the truth, so help you God?

Ans. I do.

Questions asked by Mr. Vance:

Ques. State your name, age, residence and official position?

Ans. Dr. Lillian H. South, age 46 years, Louisville,

Kentucky. Director of the Bureau of Bacteriology and Epidemiology.

Ques. Do you hold any other position?

Ans. The business manager of the Kentucky State Medical Association.

Ques. Any other?

Ans. No, sir.

Ques. Are you the editor of what is known as the Kentucky State Medical Journal?

Ans. No, sir; business manager of the Kentucky State Medical Association.

Ques. What are your duties with this Medical Association?

Ans. My duties are to meet with the doctors; to give lectures to them, mostly on public health, and I proof-read the medical journal.

Ques. You are business manager?

Ans. Yes, sir.

Ques. Do you conduct the duties of this office from the bacteriology office?

Ans. No, sir; they have an office in the building.

Ques. Is it or not a fact that an act of 1918 made the laboratory of the University of Kentucky the laboratory of the State Board of Health?

Ans. That is part of the State Board of Health, but my work is entirely different. My work is usually making vaccine and serum and especially since 1918 I make a typhoid vaccine for free distribution to the doctors and health officers. We make the influenza-pneumonia vaccine and distribute that free of charge; we make usually during an epidemic 15,000 bottles.

Ques. How many assistants do you have?

Ans. I have three technicians, a stenographer, dish washer and janitor, and also a cook.

Ques. Does this cook's father live there?

Ans. No; a few months in the winter.

Ques. It is reported that this cook has a room at the State Board of Health?

Ans. They have a room outside; this man, her father, does not receive any compensation from the State Board of Health. This Mary that I have is there at all times to answer the telephone when I am out; if a doctor calls there any time in the day or night for serum or vaccine we are there to answer the telephone; not very long ago a doctor called me over the telephone at 12 o'clock one night to get a package off on the train at 2:00 o'clock; being right there at the laboratory I was able to do it, and save about 12 hours.

Ques. What are the duties of this man, father of this cook?

Ans. He has no duties; he is blind.

Ques. How is this cook paid?

Ans. I pay her some myself; E. R. Squibbs' Son, manufacturer of vaccine, pay her a salary.

Ques. Doctor, do you know Mrs. Jane Dohlman?

Ans. Yes.

Ques. What was her former connection with the State Board of Health?

Ans. Director of Public Health Education.

Ques. What salary did she draw?

Ans. I do not know.

I want to tell you this about this woman I have. One of her duties is to open dogs' heads when they are sent in to be examined for rabies; she has to be very careful about the work; there is only one part of the brain that is used; her entire salary is paid by Squibbs; we use their vaccine. I asked a veterinarian in Bowling Green what he would charge to open these heads for us, you know these dogs are supposed to be mad dogs, and he said he wouldn't do it for $5.00 a head.

DR. J. S. LOCKE.

Mr. Boling swears the witness.

Do you swear the testimony you are about to give is the truth and nothing but the truth, so help you God?

Ans. I do.

Questions asked by Mr. Vance:

Ques. State your name, age, residence and official capacity?

Ans. J. S. Locke, age 49, Director of Bureau of Tuberculosis, State Board of Health, and executive secretary of the Kentucky Tuberculosis Association.

Ques. Will you please state the salary received?

Ans. $1,800.00 for the State Board of Health and $1,800 from the Tuberculosis Association.

Ques. State the names and salaries of those under you?

Ans. I have Miss Adelbert Thomas, State Director of Modern Health Crusade, salary at the present time $125.00. Miss Alexine Robertson, stenographer, $75.00 per month; that is all. Half is paid by the state and the other half from the Tuberculosis Association.

Ques. State briefly your duties?

Ans. Mostly educational; we hold clinics through the state; we go to the various counties that desire these clinics and have public gatherings and examine all those that want to be examined for tuberculosis. Miss Thomas and her department work with the school children and school people throughout the state.

Ques. Doctor, have you been in Frankfort during the present session of the Legislature, and if so, when and for what purpose, and also state who pays your expenses?

Ans. I have been there part of the time for the past three weeks. I have been there in the interest of the Kentucky Tuberculosis Association. I talk and inform the legislators regarding the proposed legislation regarding tuberculosis and the work of the Kentucky Tuberculosis Association in an effort to educate the people against tuberculosis in this state.

Ques. Who pays your expenses.

Ans. Half is paid by the State Board of Health and half by the Kentucky Tuberculosis Association.

Ques. I presume, Doctor, you are registered in the Attorney General's office?

Ans. No, sir; I did not. The state requires that I attend the Legislature when legislation affecting my work is pending, and does not require me to register for this purpose.

DR. JAMES F. BLACKERBY.

Mr. Boling swears the witness.

Do you swear the testimony you are about to give is the truth and nothing but the truth, so help you God?

Ans. I do.

Mr. Vance questions the witness:

Ques. State your name, age, residence and connection with the State Board of Health?

Ans. James F. Blackerby, age 47, residence, Louisville, Ky. Director of Bureau of Vital Statistics.

Ques. What is your salary?

Ans. $2,500.00 per year.

Ques. Will you please state the names and salaries of your subordinates and assistants?

Ans. I will file that.

Ques. Have you been in Frankfort during the present session of the Legislature?

Ans. Yes, I have been in Frankfort two or three days a week since the General Assembly started. The reason for my being in Frankfort I will have to explain in detail. Prior to 1922 I had never seen a Kentucky Legislature in session. I went up to Frankfort during that session; there was a bill pending amending the law creating the Bureau of Vital Statistics. I was there some during that Legislature and found a rather powerful influence that seemed to be working against the bill of the State Board of Health, and towards the end of the session it became evident to me that Milton Board was taking rather an active part in trying to prevent in some way

the legislation that we were seeking, and made this statement, I think Dr. Elmore Henderson was present at the time: "Well, you fellows may get by this time, but how do you expect to operate." I asked him what he meant. He said, "You are not going to get any appropriation." It became apparent the influence that was at work at that time. During the past year rumors were afloat that an effort would be made to take the position as secretary of the State Board of Health away from Dr. A. T. McCormack. Such a bill was being followed by Dr. Board. I had no intention of going to Frankfort; we had no bills pending that we were seeking to have passed, except our appropriation bill, and it would not be necessary to go for that, but these rumors kept afloat and finally saw a circular that Dr. Board sent out throughout the state, stating that there was a medico-political machine at work in the state, which was demoralizing the State Board of Health and the State Medical Society. Of course, knowing Dr. Board, I paid little attention to that. I think it was some time the latter part of December; December 30th, I think, I saw Dr. Board in the lobby of the Seelbach Hotel. Dr. Board came up to me and made a statement that I considered an insult to my friends who were physicians. While I am not a physician, I am a son of a physician. Dr. Board said, "You know, Blackerby, I have been trying for two years to get Arthur's scalp; I could not do it before, but I am sure going to do it now." I asked him how. "Well," he said, "You know I have been rather interested in politics in the last year or two; in fact, I was one of Cantrill's closest advisers; I helped to keep Cantrill alive long enough to get him nominated, then his death occurred at the time when it became necessary to select the candidate. We looked over the field and decided to call Bill Fields to Louisville. Mr. Brown and myself took him down to the Bank of Kentucky, and after a conversation there with him we decided he would do, and we nominated him and elected him, so you see I will be a very important part of this administration. I will have the power

to get anything I want. I will not stop with getting Arthur's scalp, but will change the whole organization." I talked to Dr. McCormack about it and decided to go to Frankfort and try and use what little influence I had to prevent Dr. Board carrying out his threats and make the State Board a medical football for the politicians.

Ques. How long were you in Frankfort?

Ans. Two or three days each week.

Ques. Who is paying your salary?

Ans. The State Board of Health.

Ques. Do you think you can render that Board service while in Frankfort?

Ans. Yes.

Ques. Did you talk to any legislators on House Bill 35?

Ans. Yes, a few.

Ques. Do you think the law permits this?

Ans. I think that it is my duty to try and prevent legislation that would destroy an organization that is doing such good work.

Ques. Did you talk with Dr. McCormack?

Ans. I told you I talked with Dr. McCormack after talking to Dr. Board.

Ques. He told you to go?

Ans. Yes.

Ques. Were you registered?

Ans. No; the Attorney General does not require us to register when we go to Frankfort on affairs connected with the State Board of Health.

Ques. I believe you said the State Board of Health paid your expenses?

Ans. Yes.

Ques. And you drew your salary?

Ans. Yes.

Question asked by Mr. A. T. McCormack:

Ques. Did Dr. Board say who is was going to appoint as secretary of the State Board of Health?

Ans. Yes; my brother.

DR. JETHRA HANCOCK.

Mr. Bowling swears the witness.

Do you swear the testimony you are about to give is the truth and nothing but the truth, so help you God.

Ans. I do.

Mr. Vance asked the following questions:

Ques. What is your name, age and official capacity with the State Board of Health?

Ans. Jethro Hancock, 47 years of age, Director of the Bureau of Venereal Diseases of the State Board of Health.

Ques. What are your duties?

Ans. To assist in educational work pertaining to this disease; to carry on clinics.

Ques. What is your salary?

Ans. $275.00 per month.

Ques. What is the source and amount of income of your department?

Ans. $22,000.00, and $5,000.00 from the federal government.

Ques. I will ask you to file a schedule giving the names and salaries of your assistants and subordinates?

Ans. I will.

DR. IVIN LYNDERBERGER.

Mr. Boling swears the witness.

Do you swear that the testimony you are about to give is the truth and nothing but the truth, so help you God?

Ans. I do.

Mr. Vance asked the following questions:

Ques. Give your name, age and residence?

Ans. Dr. Irvin Lindenberger, Louisville, Kentucky.

Ques. What are your official duties?

Ans. Health officer, Jefferson county.

Ques. What is your salary?

Ans. $5,000.00 per year.

DR. J. I. WITTENBERG.

Mr. Boling swears the witness.

Do you swear the testimony you are about to give is the truth and nothing but the truth, so help you God?

Ans. I do.

Mr. Vance asked the following questions:

Ques. State your name, age and residence.

Ans. Dr. J. I. Wittenberg, 2702 Virginia Ave., Louisville, Ky., 51 years old.

Ques. What official position did you formerly hold in Jefferson county?

Ans. I was with the Eruptive Hospital twelve and one-half years, and I was County Health Officer a couple of years, and with the U. S. Public Health Service.

Ques. How were you appointed, or how did you get these positions; elected or appointed?

Ans. Appointed by the Board of Safety; County Health Officer, County Board of Health, which is appointed by the secretary of the Board of Health.

Ques. How long has it been since you held the position of County Health Officer?

Ans. I think I was commissioned in 1915 or 1916, and then I held that up until change of administration; I was let out then.

Ques. Let out?

Ans. Yes.

Ques. How did you lose your position?

Ans. I am a Democrat; the Republicans won and that changed things.

Ques. You have reference to County Health Officer?

Ans. Yes.

Ques. What other connections did you have?

Ans. I was inspector of the State Board of Health for a couple of years.

Ques. Did that connection require that you travel much over the state?

Ans. Yes; I traveled over the state a good many times.

Ques. I will ask you what your observations were concerning the political activities of the State Board of Health in the various counties in Kentucky?

Ans. Well, it is a political organization; Republicans in some places and Democrats in others; the game is played that way.

Ques. Doctor, is the State Board of Health a medico-political machine?

Ans. Well, I suppose so; I would call it a strong political machine. I was put in and served until put out by Republicans.

Ques. Give us your reasons for saying that?

Ans. I hardly know how to begin on that. I know I have heard Dr. McCormack say that he wanted somebody to fit in, he didn't care whether he could do the work or not.

Question asked by Mr. Boling:

Ques. Doctor, let me ask you this question—do you believe that doses of politics and medicine taken in equal parts perpetually is good for Kentucky?

Ans. No, I don't think so. There have been too many doses of politics in public health.

Ques. Did the secretary of the State Board of Health interfere with the election of county candidates of various offices, particularly to members of the General Assembly and Governor?

Ans. They were interested; I don't know to what extent?

Ques. Was the word ever passed around to oppose certain candidates and to support others?

Ans. Yes.

Ques. Doctor, are you acquainted with the building of the State Board of Health, at the corner of Sixth and Main streets?

Ans. Yes.

Ques. Doctor, state what you know concerning the buying of the property at the corner of Sixth and Main streets?

Ans. Well, Dr. McCormack—Dr. J. N. McCormack—used to consult me about different things. One morning we were talking and he asked my opinion about buying that building at Sixth and Main streets, and we discussed it very freely that morning, and he told me he could get that building for $30,000, and I said I would buy it; if I had the money I would buy it myself. He said that the location might not be so good. I said, you are not a business organization in competition; buy it. All I know is that when the bill came up, as I remember it, it was for an appropriation of $33,500.00.

Ques. The elder Dr. McCormack told you it could be bought for $33,000.00.

Ans. Yes.

Ques. Do you know of any other transaction of any nature that would be of sufficient importance to warrant your telling?

Ans. No; I don't think so.

Ques. Do you know anything about the political activities in the various counties in the state during the time you were connected with the State Board of Health?

Ans. No; nothing much. I would be sent to different places, and would find a Democrat in one place and a Republican in another?

Ques. Doctor, give us your own knowledge and experience that existed over the state while you were connected with the State Board of Health?

Ans. I would find in nearly all of the counties of the state two factions—one McCormack and the other anti-McCormack; some are afraid to oppose the present officers of the State Board. You will find one side sulking and the other active and trying to do things.

Ques. Doctor, do you think that the appropriation of the State Board of Health has been spent wisely?

Ans. No, I do not think so. It doesn't compare with Indiana at all; I worked there.

Questions asked by Dr. McCormack:

Ques. Doctor Whittenberg, are you practicing medicine now, or are you in the real estate business?

Ans. I am practicing medicine when called.

Ques. You were a candidate for the Senate in the last primary, were you not?

Ans. I don't know whether you would say I was a candidate or not; I was thinking about it.

Ques. Did you make a deal when you withdrew?

Ans. I did not.

Ques. As a matter of fact, Doctor, when you resigned from the County Board of Health, did you not resign under charges?

Ans. No; I did not. I will file herewith a letter from your father after I resigned, and it does not say a thing about any charges.

Ques. Didn't father reprimand you time after time for talking politics?

Ans. No.

Ques. Didn't he finally notify you about talking politics?

Ans. I never talked politics.

Ques. You resigned, Dr. Whittenberg, from the same board that elected you?

Ans. Oh, yes; when they got things moving they told me to get out.

Dr. McCormack recalled.

Ques. Doctor, you say you were out of the state during the campaign; I would like to know in what manner you learned of a "political trade."

Ans. I learned it from Mr. Duffy, in Frankfort. Senator Duffy had agreed to introduce the "ripper bill" in the Senate if he had a clear field.

Dr. Whittenberg then explained why he resigned.

I was getting $200.00 from the State Board of Health and living away from home, and Dr. J. N. McCormack was talking to me about my salary and I told him if he reduced mine he was going to lose a health officer, because I knew that they had the money.

Senator Beckham asked the following questions:

Ques. Don't you think that Dr. J. N. McCormack was an honest man?

Ans. I do; he was one of my best friends.

Ques. What did you intend to convey when you said this property could be bought for $30,000 and they paid $33,500.00 for it?

Ans. I stated facts.

Ques. Did you think it was important bearing upon this investigation?

Ans. I just stated that in about a week's time there was a raise of about $3,000 or $3,500.

Ques. You think they paid too much for it?

Ans. No.

Ques. Do you think they got it at a good price?

Ans. I do. No doubt about it; the question is this—he had an understanding to get the building for $30,000 and paid $33,500 for it.

Ques. Doctor, what time in the campaign did you withdraw as a candidate for the Senate?

Ans. Long about the time they filed papers.

Ques. How long were you a candidate?

Ans. I don't know.

Ques. You withdrew in the interest of harmony?

Ans. Yes.

Ques. Did you talk with Dr. Board or anyone else about withdrawing?

Ans. I did not; I told Mr. Will Kaulten I was going to resign.

DR. A. D. WILMOUTH.

Mr. Boling swears the witness.

Do you swear the testimony you are about to give is the truth and nothing but the truth, so help you God?

Ans. I do.

Questioned by Mr. Vance:

Ques. State your name, age, residence and occupation?

Ans. Dr. A. D. Wilmouth, 47 years old, a physician in Louisville, Ky.

Ques. Are you a member of the Kentucky Medical Association?

Ans. I am; have been for 27 years.

Ques. How is it controlled and by whom are officers elected?

Ans. The officers are elected by a house of delegates.

Ques. How is it controlled?

Ans. By a house of delegates.

Ques. Do you see any evidence of a medico-political machine in connection with the State Medical Society and the State Board of Health?

Ans. Well, I am not an enemy of either side of the board, but it is and has ben for many years a medico-political machine.

Ques. How is the Secretary of the State Board of Health elected?

Ans. Gets it from the State Society; the State Society is elected by the State Society Board, being one and the same officer at the present time.

Ques. What do you think about the perpetuation of the State Board of Health in office?

Ans. I don't know; so far as the Secretary is concerned, he is all right, but I want to see it Democratic.

Ques. Would it be good policy to change them as long as they are doing good?

Ans. I don't know.

MISS MAMIE SULLIVAN

Mr. Boling swears witness.

Do you swear the testimony that you are about to give is the truth and nothing but the truth, so help you God?

I do.

Questioned by Mr. Vance:

Ques. State your name, age and official connection with the State Board of Health?

Ans. Mamie Sullivan, of age, Chief Clerk State Board of Health.

Ques. How long have you held that position?

Ans. Twenty years.

Ques. Have you any other duties?

Ans. No, that is sufficient.

Ques. I will ask you whether if this letter was gotten out from the office of the State Board of Health?

Ans. We adressed the envelopes and got these letters out one Saturday afternoon—multigraphed the letters.

Ques. Did you furnish any stamps.

Ans. No, the stamps were furnished.

Ques. The office force got them out?

Ans. Yes, one Saturday afternoon.

DR. ANNA VEACH

Mr. Boling swears witness.

Do you swear the testimony you are about to give is the truth and nothing but the truth, so help you God?

I do.

Questioned by Mr. Vance:

Ques. State you name, age and official capacity with the State Board of Health?

Ans. Doctor Anna S. Veach, 52 years of age, Director of the Bureau of Maternity and Child Hygiene.

Ques. State briefly your duties?

Ans. Plan and direct the working of the child hygiene in the state of Kentucky.

Ques. What is your salary?

Ans. $300.00 per month.

Ques. What is the source and amount of income of your department?

Ans. The source is from the Shepard-Towner fund and the state appropriation.

Ques. Give the amount of each.

Ans. I couldn't give amount; I will file statement.

Ques. Will you also in conection with this schedule file a list showing the names of your subordinates and their salaries?

Ans. Yes.

Dr. South recalled:

Dr. Whittenberg was frequently sent out in the state to investigate smallpox and would make a report to Dr. J. N. McCormack. I have been in the office many times when Dr. McCormack would reprimand Dr. Whittenberg for talking politics. He would say you are sent out there to find out about smallpox and don't talk politics. I am a very good friend of Dr. Whittenberg's.

DR. V. A. STILLY.

Mr. Boling swears witness.

Do you swear that the testimony you are about to give is the truth and nothing but the truth, so help you God?

I do.

Mr. Vance questioned witness:

Ques. Doctor, you are familiar with the State Medical Association?

Ans. Been a member thirty years.

Ques. What is the attitude of the physicians toward the State Board of Health in your section of the state?

Ans. I think ninety per cent of the physicians in my part of the state are for the present State Board of Health.

Ques. In what county do you live, doctor?

Ans. Marshall county. I want to file a letter from the county judge in regard to the State Board of Health.

DR. J. C. MOSLEY.

Mr. Boling swears witness.

Do you swear the testimony you are about to give is the truth and nothing but the truth, so help you God?

I do.

Questioned by Mr. Vance:

Ques. State your name, age, residence?

Ans. J. C. Mosley, 51 years of age, Henderson, Kentucky.

Ques. Are you a practicing physician?

Ans. I am.

Ques. Do you own and operate a hospital?

Ans. I do.

Ques. Are you acquainted with Dr. A. T. McCormack, Secretary of the State Board of Health?

Ans. About twenty years very intimately acquainted with him and have had many opportunities to observe the workings of the State Board of Health.

Ques. State whether or not you have ever received any letters, telegrams or telephone messages from Dr. McCormack, or anyone representing the State Board of Health asking you to exert political influence in your county and adjoining counties favorable to the State Board of Health and its work?

Ans. During every campaign for years before the election of the legislature I have been communicated with by Dr. A. T. McCormack or his father, the late Dr. J. N. McCormack; this communication has been through letters, telegrams, telephone messages, and sometimes personal interviews. My aid has been sought in bringing out candidates for the legislature friendly to the State Board of Health, and I have been frequently asked to aid in defeating candidates who were supposed to be unfriendly to them. During the leg-

islature I have been asked to get in touch with my Senator or Representative and try to influence them in favor of legislation for the benefit of the State Board of Health. I have known the same appeal to have been made to other members of the profession in my county. In fact, it seems to be a general practice each year.

Ques. State whether or not there is any division of feeling among the members of the medical profession in your county, as to the State Board of Health, with special reference to its medico-political activities?

Ans. There is a great deal of feeling and has been for twenty years. The profession is divided into two distinct factions which has been caused and aggravated by the McCormack influence and political activities. Frequently this division is renewed and kept alive by rivalry as to who would elect the delegate to the State Medical Society, but consequently gain the county board of health. I feel that the profession of medicine would be a great deal better off if the selection of the State Board of Health was arrived at in a different way. The present system creates too much politics in medicine.

The following parties were summoned to appear before the House Committee at the Leather Room at the Seelbach Hotel, Louisville, Kentucky, on Saturday, February 23rd, 1924, at 9:30 o'clock a. m.:

Mr. C. C. Hieatt,
Mr. G. W. Grant,
Mr. Thomas Bohannan,
Mrs. Cora Stephenson,
Dr. E. L. Henderson,
Dr. J. S. Locke,
Dr. A. T. McCormack,
Dr. Lillian H. South.

COPY OF SUMMONS.

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You are hereby summoned to appear before the House Committee of the Kentucky General Assembly for the investigation of the Kentucky State Board of Health for the purpose of testifying before said committee at the Leather Room at the Seelbach Hotel, Louisville, Kentucky, on Saturday, February 23rd, at 9:30 o'clock a. m.

Respectfully,

(Signed) W. M. BOLING,
Chairman.

DR. A. T. MCCORMACK.

Mr. Boling swears and questions the witness:

Do you swear the testimony you are about to give is the truth and nothing but the truth, so help you God?

I do.

Ques. Doctor, you stated the other day that you purchased from C. C. Hieatt, Geo. W. Hunt and Thomas Bohannon the property at Sixth and Main streets, now occupied by the State Board of Health for $33,100.00. Do you know from whom Messrs Hieatt, Grant and Bohannon, real estate agents, acquired this property and what they paid for same?

Ans. No, I do not. It is in the record I gave you.

Ques. Do you not know and did you not take the trouble to inquire as to the fact that this property was bought on August 7th, 1920, from the Louisville Trust Company as trustee for Ursula E. Doerhoefer for the sum of $20,000.00, less the agents' commission?

Ans. I never heard of that before.

Ques. Assuming that this property did sell in August, 1920, for $20,000.00, less the agents' commission, I should like for you to explain why you thought that you obtained a bargain when you paid seven months later for it $33,100.00?

Ans. We had an architect look over the building and he told us to build the building now it would cost $150,000.00, and the buiding was cheap at $50,000.00. It could be sold now for $75,000.00 to $100,000.00.

Ques. Assuming that this transaction did take place, I should like to ask you you who in your judgment got this profit of $33,100.00?

Ans. Mr. Bohannon, Mr. Grant and Mr. Hieatt got all the $33,100.00.

Ques. Assuming that the deed book shows $18,000.00 was paid in cash for this property, I should like to ask you what authority from the legislature you had for the purchase of the property and where the $18,000.00 came from which you paid?

Ans. You already have the record as to where the $18,000.00 came from. Authority from the Sinking Fund Commission approved by Governor Morrow; that is fully covered in the memorandum which you already have. I started to tell you all about it, but you said it took too much time.

Ques. Assuming that the deed book shows that four notes were given of $2,000.00 each and one note for $7,000.00, I should like to ask you which of these notes, if any, have been paid, where the money came from, and how much is now due on the property?

Ans. That is fully covered in memorandum I gave you.

Ques. Do you know Dr. J. C. Mosley, of Henderson, Kentucky.

Ans. Very well.

Ques. Do you regard him as a reputable physician and a man of veracity?

Ans. I do.

Ques. You say that the State Board of Health nor you as its executive secretary have taken no part in party politics?

Ans. Certainly not.

Ques. I believe you went so far as to state that you did not know that your attorney, Mr. Elwood Hamilton, was the

campaign manager for a Democratic candidate for Governor during the pre-primary campaign of 1923.

Ans. I said I didn't know at the time. When I left Kentucky in May the campaign manager was Mr Vaughn of Berea.

Ques. At what time during the campaign of Barkley and Cantrill, or did you know at all that Mr. Hamilton was Barkley's manager?

Ans. During the campaign I did not know of it. It was just warming up when I left.

Ques. When did you first learn that Mr. Cantrill had been nominated over Mr. Barkley?

Ans. I got back here the night of the primary or the next night, I don't remember exactly, I think it was reported in the papers immediately.

Ques. At what time during the year 1923 did you leave Kentucky?

Ans. I left along in the last week in May, as I remember and returned either the night of the primary or the next morning.

Ques. Did you get any information either by wire or letter as to the progress of the campaign between Barkley and Cantrill?

Ans. No, I don't recall anything being written.

Ques. Did you know there was an election to be held?

Ans. I knew that. One day I was coming from Lexington to Louisville and Mr. Barkley was in the hotel in Lexington, he was coming to Shelbyville to make an address and I brought him that far.

Ques. You don't know anything about the activities of Mr. Elwood Hamilton in the campaign; you don't know who he was for?

Ans. I knew who he was for all the time; I knew pretty well who you were all for.

Ques. That information just came to you like it does to the rest of us?

Ans. Certainly. Mr. Hamilton never talked on that subject.

Ques. You and Mr. Hamilton are quite good friends?

Ans. Very. Will say in that connection he is employed as our attorney and not as our politician.

Ques. Doctor, state briefly why it is necessary for the State Board of Health to employ an attorney? Isn't it a part of the state government and the Attorney General would be its attorney. State briefly why necessary.

Ans. Well, it requires a very special form of activity to do the work of the State Board of Health. They have had an attorney since 1888. The work is increasing very much. You will recall, Mr. Boling, in your young days, the great number of announcements of patent medicines and cures and that many cities were full of traveling advertising quacks. Many cities are full today, but the state of Kentucky is free because it has had expert attorneys to fight them. Now in 1888 Mr. Aaron Kohn, attorney, here in Louisville, became our attorney. It was through him that the board finally succeeded in eliminating from the state patent medicine concerns and quack doctors. Dr. Aaron Kohn was connected with the city government here. The counsel is paid by a donation made by the State Medical Association and others interested in the matter.

Ques. Doctor, you speak of having employed the late Aaron Kohn, being very active in political affairs. Do you employ your counsel because he is active in politics?

Ans. I think the name of the counsel would answer that question. Mr. Kohn was employed during his lifetime, the greatest attorney in Kentucky, the greatest criminal lawyer in Kentucky.

Ques. Well, this question, who is the present attorney for the State Board of Health?

Ans. The firm of Beckham, Hamilton & Beckham—Governor Beckham active attorney.

Ques. Are they retained on a yearly fee?

Ans. Yes.

Ques. How much?

Ans. $3,000.00. $2,400.00 is paid by the Kentucky State Medical Association and $600.00 from the Practice Act Fund authorized by law.

Ques. Doctor, do you know of any activities taken by any member of the State Board of Health in the last Governor's race as between Mr. Fields and Mr. Dawson?

Ans. No.

Ques. I want to ask you if after the resignation of Senator C. J. Hubbard, of Larue county, whether or not you took any part by writing letters or over the telephone or any other way in attempting to nominate his successor?

Ans. No.

Ques. I want to ask you specifically if you did or did not telephone Dr. Ed. Smith of Hodgenville, Ky., and ask him to become a candidate himself for the State Senate to succeed Senator Hubbard, or to get a candidate who would be friendly to the interests of the State Board of Health?

Ans. No.

Dr. McCormack cross-examined by Governor Beckham:

Ques. Did you have any talk with Mr. Hamilton or members of the firm in regard to the Governor's race last year?

Ans. No; I don't recall any.

Ques. Did Mr. Hamilton directly or indirectly seek to get you or any member of the board of health interested in that race?

Ans. No, sir. The only time the subject was ever mentioned that I recall was at one time when you commended the board for the fact that it had never or at any time taken any part in political activities.

Ques. Did you bring it out before this comittee that from the latter part of May until the primary was closed you were out of the state?

Ans. Yes, sir.

Ques. In regard to the attorneys for the board, doesn't it happen that nearly every day or several times every week it becomes necessary or convenient for you or some of your staff to consult with the attorneys about some law?

Ans. Almost daily, and sometimes several times a day. As a matter of fact, if we were compelled to utilize the office of the Attorney General for that purpose it would require the entire time of one assistant attorney general to do the work for the board of health.

Cross-examined by Mr. Boling.

Ques. Doctor, just one more question; do you know that we have a bill before the legislature drawn by Attorney General Daugherty that provides that the Attorney General's office shall act in the capacity as legal counsel to eliminate the necessity for every board to have an attorney?

Ans. I did not.

Ques. Do you think it would appear to be a good law?

Ans. An excellent law if there was given another assistant.

Mr. Beckham spoke as follows:

Mr. Chairman, here is a letter that was referred to in testimony and not put in record. Dr. McCormack wants to explain about this letter.

Dr. McCormack:

About the middle of December, as I recall it, there was some notice in the papers about the activities of Dr. Board in regard to this matter and other matters, including the connection with the road department and the school department and other things. Dr. Board repeatedly had notices in the paper telling of the supposed views. I bought copies of papers and mail them to the doctors of the state and within the next few days, as I recall it, I received this letter with circular enclosed about a medico-political anarchy signed by Dr. Board on paper of the Democratic State Campaign Committee. (Copy of letter is filed as an exhibit.) I do not think it was right for Dr. Board to use this stationery of the commit-

tee for the organization of "Societies against the State Board of Health."

DR. LILLIAN H. SOUTH.

Mr. Boling swears the witness and asks the following questions:

Do you swear that the testimony you are about to give is the truth and nothing but the truth, so help you God?

I do.

Ques. Doctor, you stated a few days ago that the money with which your servant was employed was obtained from a manufacturer of vaccine, I believe?

Ans. Yes.

Ques. Will you state how much money the State Board of Health receives from this manufacturing chemist?

Ans. They pay her this money to stay there and answer the phone at night after five o'clock for orders that come in. We act as distributing agent for this firm.

Ques. Does any other firm or manufacturing chemist pay any money to the State Board of Health?

Ans. None that I know of.

Ques. State specifically what is done with that money?

Ans. The check is mailed to her individually.

Ques. I will ask you who pays your expenses while in Frankfort?

Ans. I haven't had any expenses. I was the guest of Lieutenant Governor's wife and I have cousins there I stay with.

Ques. Didn't you have other expenses other than the fact that you stayed with friends?

Ans. I have always been taken over to Frankfort. I went over in Dr. McCormack's car several times.

Statement by Dr. McCormack:

The board in 1910, when it really was given enough money to operate and have a laboratory, we found immediately that we had a tremendous death rate from diphtheria, and at that time the ordinary dose of diphtheria antitoxin

cost $12.50 for a single dose, frequently it took from four to ten doses for an individual case. In a way we had that antitoxin reduced from $12.50 to $1.90 per dose; if the State Board of Health did nothing but that for the people of Kentucky they feel that they have accomplished something. Dr. South then began to manufacture tuberculosis vaccine; 600,000 bottles are supplied free to doctors in the state. Dr. South has also manufactured a whooping cough vaccine. We have saved the state more than three times the entire income of the State Board of Health. When we made this contract for the vaccine, it was provided that we were to have a clerk in the office who should stay there the entire time and who would wrap up these packages. We didn't handle any of this money. When a doctor sends for this vaccine the clerk sends the bill to the company and the company then sends the bill to the doctor. The firm in New York collects the bill directly. We are very glad that you asked about this transaction.

THOMAS BOHANNON.

Mr. Boling swears and asks the witness the following questions:

Do you swear that the testimony you are about to give is the truth and nothing but the truth, so help you God?

I do.

Ques. What is your business, Mr. Bohannon?

Ans. Real estate.

Ques. Did you purchase on or about July 21, 1920, from the Louisville Trust Company as trustee of Ursula E. Doerhoefer, a building located at Sixth and Main streets, now occupied by the Kentucky State Board of Health, and if so who was associated with you in this purchase?

Ans. I did in connection with Mr. Hieatt and Mr. Grant.

Ques. I would like to ask you what you and your associates paid for this property?

Ans. $20,000.00. I am not sure about the date.

Ques. I would like to ask you specifically if it is not a

fact that you paid $20,000.00 for this property out of which your commission of real estate agent was paid?

Ans. I don't remember having received any commission as real estate agent. We purchased it from the Louisville Trust Company; they got a commission for selling it. Whether they paid any commission to Grant and myself, would have to look up.

Ques. I should like to ask you if you did or did not sell this property to the Kentucky State Board of Health on or about March 17th, 1921, for the sum of $33,100.00, $18,000.00 in cash and the rest in notes?

Ans. Yes, sir, we did. I would have to look at my books, but that is what I believe we received in cash.

Ques. I should like to ask you whether or not those notes have been paid?

Ans. As far as I know they have been paid. I don't hold any of them.

Ques. Do you know who paid them and when?

Ans. No.

Ques. I should like to ask you who made this profit of $13,000.00?

Ans. Mr. Grant, Mr. Hieatt and myself.

Questions asked by Dr. McCormack:

Ques. This property is now worth fully $33,100.00 or more?

Ans. I will buy it for that.

Ques. It was a good purchase at the time it was bought?

Ans. It was a fine purchase for the State Board of Health or anyone else who could use the building. I suppose it would cost $150,000 to erect a building of that character.

Questions asked by Mr. Beckham:

Ques. Mr. Bohannon, you and the gentlemen are in the real estate business?

Ans. Yes.

Ques. It is your business, part of your business, to buy property at a bargain and sell it at a profit?

Ans. That is true.

Ques. You didn't buy it to hold, you bought it as an investment and to hold until you got a good price?

Ans. We had no use for it.

Questions asked by Dr. McCormack:

Ques. Mr. Bohannon, you were good enough to make a donation of $500.00 because you wanted the State Board of Health to have it, weren't you?

Ans. That is exactly right. I think at the time you made one yourself. There was a certain amount of money provided for the purchase of the property and we really intended to sell it to the State Board of Health. Mr. Hieatt being interested in the property received an offer of $33,000.00 from some one other than the State Board of Health. Mr. Grant and myself felt that the State Board of Health should have the property because we felt that we were obligated to the State Board of Health to a certain extent. So the State Board of Health raised its bid $100.00 more. I do not think that any possible blame could be brought against the State Board of Health for purchasing this property. They were in the building and had spent somewhere between $10,000 to $15,000 for different purposes.

Mr. Boling asks the following questions:

Ques. We merely want to get some record as to the real estate transaction?

Ans. My books are open. You can come to my office and see them.

Ques. Do you think this was a good purchase?

Ans. An excellent purchase for anyone who could use it.

Dr. McCormack asks the following question:

Ques. As you know, Mr. Bohannon, the State Board of Health is required by law to keep its records in a fireproof vault. As a matter of fact the fireproof vault in this building would cost more than $33,100.00?

Ans. I don't know. I never got to see them. All I know is that there are about five to seven; I haven't seen them at all.

MR. GEO. W. GRANT.

Mr. Boling swears the witness and asks the following questions:

Do you swear the testimony you are about to give is the truth and nothing but the truth, so help you God?

I do.

Ques. What is your name, business and address?

Ans. Geo. W. Grant, real estate business, Louisville, Ky.

Ques. Did you purchase on or about July 21, 1920, from the Louisville Trust Company as trustee of Ursula E. Doerhoefer, a building located at Sixth and Main streets, now occupied by the Kentucky State Board of Health, and if so, who was associated with you in this purchase?

Ans. Yes, sir; Mr. Thomas Bohannon and Mr. C. C. Hieatt were connected with me.

Ques. I would like to ask you what you and your associates paid for it?

Ans. $20,000.00. I am not sure whether we got credit for the $100 given as an option.

Ques. I should like to ask you specifically if it is not a fact that you paid $20,000.00 for this property, out of which your commission as real estate agent was paid?

Ans. Out of the $20,000.00. No, sir.

Ques. I should like to ask you if you did or did not sell this property to the Kentucky State Board of Health on or about March 17th, 1921, for the sum of $33,100.00, $18,000.00 in cash and the rest in notes?

Ans. Yes, sir. The records of the cash transactions will be on my books.

Ques. I should like to ask you whether or not those notes have been paid?

Ans. Yes, sir.

Ques. By whom?

Ans. We sold these notes—we disposed of them.

Ques. I would like to ask you this question, Mr. Grant,

who made this profit of $13,100.00 as is indicated by this purchase?

Ans. There wasn't any profit of $13,100.00.

Ques. Didn't I understand you to say that you paid $20,000.00 for it?

Ans. My books will show that the income of the property wasn't sufficient to pay the interest and upkeep of the building. Between the time of our purchase, the income was not sufficient to pay the taxes and the interest or the upkeep of the building.

Ques. So you practically made no profit?

Ans. There was a profit.

Ques. Assuming that there was some profit, who made it?

Ans. Mr. Bohannon, Mr. C. C. Hieatt and myself.

Questioned by Dr. A. T. McCormack:

Ques. Mr. Grant, following the purchase of the building you expended quite a considerable sum in repairing the elevator and repairing other parts of the building?

Ans. Yes, some very large items.

Ques. Didn't you put in a new smoke stack?

Ans. That one item was $225.00. I know before you took possession of the building that we spent a good deal of money on repairs.

Ques. You will recollect that when we came you had an offer from some other firm for a larger cash offer than the Board of Health had offered.

Ans. We had a larger cash offer than the one made by the Board of Health.

Ques. Do you think the property is worth $33,100.00?

Ans. Very much more.

Ques. Worth $70,000.00?

Ans. At the time we bought it it was assessed at nearly $70,000.00. We had the property assessed for $47,000.00 and paid taxes on that amount.

Ques. You bought it as a speculation?

Ans. Purely as a speculation based on the first value of the property. The property was not an asset, it was a liability to us.

Ques. You and Mr. Bohannon had a public interest in seeing the building go to the State Board of Health, didn't you.

Ans. We didn't want anyone else to have it. The offer that we had was a larger one. As far as Mr. Bohannon and myself were concerned, we knew it was just the building for the State Board of Health for their needs and purposes.

DR. J. I. WHITTENBERG.

Mr. Boling swears the witness and asks the following questions:

Do you swear that the testimony you are about to give is the truth and nothing but the truth, so help you God?

I do.

Ques. Doctor, how long were you officially connected with Dr. J. N. McCormack, father of Dr. A. T. McCormack?

Ans. Well, officially it is pretty hard to say. I was county health officer and for a time I was U. S. Public Health Officer. I would say about five or six years.

Ques. Did Dr. J. N. McCormack ever have a conversation with you concerning the building at Sixth and Main streets?

Ans. Yes.

Ques. What did he tell you, if at all, about this property; that it could be bought for $30,000.00?

Ans. He told me, I think it was anywhere between four or five weeks before the property was bought, that he could get it for $30,000.00.

Ques. Did Dr. J. N. McCormack tell you he had offered that much for the building?

Ans. No; he said he could get it.

Ques. How long before the building was purchased?

Ans. Between two to five weeks. I thought the property was purchased for $33,500.00, but I have been informed that it was $33,100.00.

Ques. Were you working under Dr. McCormack then?

Ans. Yes.

Ques. You don't know why the price was increased from $30,000.00 to $33,100.00?

Ans. Never was discussed.

Ques. How long have you been a physician, Doctor?

Ans. Thirty years.

Ques. From what school of medicine are you a graduate?

Ans. Kentucky School of Medicine, Kentucky University.

Dr. Whittenberg cross-examined by Mr. Beckham:

Ques. Were you a candidate for the State Senate from your district during the last campaign?

Ans. I was thinking of making the race, I thought it would be an open field, but withdrew when another candidate came out?

Ques. Did you tell some of your friends you were a candidate?

Ans. I may have, in a casual way.

Ques. Then you withdrew in favor of Mr. Duffy?

Ans. Yes.

Ques. You withdrew and then Mr. Duffy became a candidate without opposition?

Ans. Yes.

Ques. Mr. Duffy has introduced a bill in the State Senate to reorganize the State Board of Health, didn't you know that?

Ans. No, I did not.

Ques. Did you discuss this bill with anyone before you withdrew?

Ans. No; I never knew anything about it.

Ques. Didn't you discuss it with Dr. Board?

Ans. No; I didn't state so; I can take care of myself.

Ques. You stated a while ago, doctor, that the building was purchased for $33,500.00, you thought it was really $33,100.00?

Ans. I thought it was $33,500.00 instead of $33,100.00.

Ques. You were mistaken about that?

Ans. It's no use to tangle me; my thoughts are perfectly clear on this subject.

Ques. Tell us what the building really did sell for?

Ans. $33,100.00, I understand.

Ques. Did you testify here last Saturday when you were employed by the State Board of Health that you didn't engage in any political activities?

Ans. No, I didn't.

Ques. Did you testify or not to that?

Ans. About activities? I was not active in politics. I had a boy that went out and made speeches for the Democrats. I did not become active until later on.

Ques. Were you at the meeting of the State Senate Investigating Committee in Frankfort Tuesday night?

Ans. No, I was not there?

Ques. Do you know that the officials of the State Board of Health presented before that committee letters and communications that showed that your political activities as representative of the State Board of Health had become so notorious that they were reported to the Governor of the State and he wrote to Dr. McCormack about it?

Ans. I had not been active. I don't know anything about those letters. I was not active. As I said, my boy was out making speeches for the Democrats.

Statement by Governor Beckham:

Mr. Chairman, in the matter of last Tuesday night at Frankfort, before the Senate Committee, we produced a letter from the Governor dated some time in 1920 addressed to Dr. McCormack, telling him that numerous complaints had been brought to his attention about the political activities of Dr. Whittenberg of the State Board of Health. We also produced a copy of the letter that Dr. McCormack wrote to the Governor and also an order from the State Board of Health warning Doctor Whittenberg and all other officials and employes

from taking any part in political activities. Those papers are filed with the other committee; we will ask leave to file them with this committee.

Mr. Boling asks the following questions:

Ques. Doctor, I will ask you this question, when you were a prospective candidate for the State Senate you entertained the thought of running because you were a citizen of Kentucky, didn't you?

Ans. I was a citizen of that Senatorial district. I was speaking to Adam Spahn about thinking about running and he said if I did he wouldn't.

Question. Doctor, I will ask you this question about your prospective candidacy for the State Senate, were you entertaining the thought of running because you were a physician?

Ans. No; I had several little things in view. In fact, about the school system in the city of Louisville, and other things.

Ques. Doctor, do you really think the reason you lost your place was because you were a Democrat?

Ans. Yes; I didn't play the game. I had a conference with the late J. N. McCormack at Maysville while I was inspector for the state board. Dr. McCormack told me I had been mixing in politics and asked me to resign. I replied that my resignation had already been turned in.

Mr. Beckham cross-examined the witness:

Ques. Doctor, do you know who was present at this conference?

Ans. Two or three, I don't know just exactly who.

Ques. You remember the conversation so well, don't you remember who was there?

Ans. No.

Ques. Dr. Lillian South?

Ans. No.

Ques. Miss Mamie Sullivan?

Ans. No.

Mr. Boling makes the following statement:

Inasmuch as Dr. McCormack is dead and Dr. Whittenberg can't recall the names of those present at the conference the testimony would be considered immaterial.

Mr. Beckham cross-examines the witness:

Ques. I want to ask you certain questions about your position as county health officer?

Ans. Yes.

Ques. When did you lose your position as such?

Ans. June 1st, 1921.

Ques. Who were on the board that elected you?

Ans. A fellow by the name of Dr. Harris, Judge Creiger, Dr. Levill, Dr. Weatherby, Dr. McMurtry, one elected by the fiscal court, three appointed by the secretary of the State Board of Health and the county judge.

Ques. Dr. Harris was elected by the fiscal court?

Ans. No, he was appointed.

Ques. Which one was elected by the fiscal court?

Ans. Weatherby, he was my man, a Democrat.

Ques. Dr. McMurtry was a Republican?

Ans. Dr. Harris was a Republican.

Ques. Did they file any charges against you?

Ans. No, sir. I demanded charges; there wasn't any; Harris wanted the job.

Ques. Do you think the State Board of Health had something to do to bring that about?

Ans. Yes.

Dr. McCormack makes a statement:

Senator Trigg, of Glasgow, I desired to have here to make this statement himself. Mr. Vance stated the other day that I brought out a doctor against him and when ex-Senator Trigg saw this in the paper called me up and told me the circumstances connected with it. He said that Governor Stanley and himself were responsible for asking Dr. Ferguson to make the race against Mr. Vance.

Mr. Chairman, I would like to file a copy of the sworn testimony of Tuesday night given before the Senate Committee.

The following letters were sent to the different State Health Officers in the United States:

....

Dear Sir:

As chairman of a Legislative Investigating Comittee, I am writing to ask you a few questions concerning the State Board of Health of your state.

1st. What is your annual appropriation for state health purposes?

2nd. How is your State Board of Health chosen, and who constitutes it?

3rd. How is your State Health Officer or Secretary of your State Board of Health chosen, and what is his salary?

Any other facts that you think may be of value in this investigation.

Thanking you in advance for an early reply addressed to me at Frankfort, Kentucky, I beg to remain,

Yours very truly,
(Signed) W. M. BOLING,
Chairman.

The following replies were received:

Waubay, S. D., February 11, 1924.

W. M. Boling Chairman,
Frankfort, Ky.

Dear Sir:

In reply to your questionnaire of February 6, I am herewith furnishing you with the following information:

1. Our annual appropriation, exclusive of federal aid, is $50,800.00.

2. The members of the State Board of Health are appointed by the Governor.

3. The State Health Officer or Secretary is a member of the board and is appointed and designated as Superintendent of the State Board of Health by the Governor.

A copy of the State Board of Health laws is enclosed for more detailed information.

Very truly yours,
P. B. JENKINS,
Superintendent.

Nashville, Tenn., February 12, 1924.

Mr. W. M. Boling, Chairman,
Legislative Investigating Committee,
Frankfort, Ky.

My Dear Sir:

This is in reply to your letter of the 5th.

1. The 1923 state legislature appropriated $77,320.00 per year for the use of the State Department of Public Health. $154,640.00 for the biennial period 1923-25.

2. The last legislature abolished the State Board of Health and the office of Secretary, and created in its place the State Department of Public Health with a Commissioner in charge.

3. The Commissioners is an appointee of the Governor of the state. His salary is $4,000.00 per year.

We shall be glad to give you any further information desired.

Yours very truly,
(Signed) C. B. CRITTENDEN,
Commissioner of Public Health.

Charleston, W. Va., February 8, 1924.

Hon. W. M. Boling, Chairman,
Legislative Investigating Committee,
Frankfort, Ky.

Dear Sir:

In reply to your inquiry of the 5th, I am answering your questions serially as they have been asked.

First, appropriation: Current general expenses, $60,000; venereal disease control, $21,000; infancy and maternity welfare work, $5,000; laboratory fees estimated, $5,000. To this may be added salary of Commissioner, $4,800. Total, $95,800.

Second, The State Board of Health, technically called the Public Health Council, is composed of six physicians appointed by the Governor for a term of four years each. All health matters are vested in the council, and in addition it acts as Board of Medical Examiners.

Third, the State Health Commissioner is appointed by the Governor for a term of four years, and in his position acts as secretary of the Public Health Council. Salary is $4,800.

If this office can be of further service, please advise.

Very respectfully,
(Signed) W. T. HENSHAW,
State Health Commissioner.

Jackson, Miss., February 12, 1924.

Hon W. M. Boling, Chairman,
Legislative Investigating Committee,
Frankfort, Ky.

Dear Sir:

Replying to your inquiries of the 5th inst., I beg to advise:

(1) Our annual appropriation for 1923 was $140,000.00 for general health work; for the State Tuberculosis Sanatorium for 1923, $197,350.00.

(2) Eight members of the board are appointed by the Governor, and the remaining five elected by the State Medical Association. All members must be regularly licensed medical practitioners in the state.

(3) The State Health Officer or Secretary of the board is chosen by the board from among their own number, who

also fix his salary, which is at present $5,000.00. In addition he is allowed traveling expenses to the amount of $100.00 per month.

Hoping this will meet with your requirements, I am,

Yours sincerely,
(Signed) W. L. LEATHERS,
Executive officer.

Topeka, Kansas,
February 11, 1924

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

I am in receipt of your letter of the 5th relative to the State Board of Health of Kansas. Answering your questions categorically, will say:

1st. The annual appropriation for state health purposes is $64,200.

2nd. The members of the State Board of Health are appointed by the Governor of the state each year, as the terms of three of the members expire. The term of service for each member is three years. Nine members of the board are physicians who are particularly interested in sanitary science. and the tenth member is an attorney who is also interested in sanitary science. The board meets quarterly and annually.

3rd. The secretary and executive officer of the Kansas State Board of Health is chosen by the State Board of Health; the salary is $4,000 per year.

I am sending under separate cover copy of our rules and regulations, also other pamphlets which may be of value to you.

See the General Statutes of Kansas, 1915, for the law creating the State Board of Health.

Very truly yours,
(Signed) MILTON O. NYBERG, *Secretary.*

Concord, N. H., February 11, 1924.

W. M. Boling,
Frankfort, Ky.

Dear Sir:

The appropriations for the State Board of Health for the year ending June 30, 1925, are as follows:

State Board of Health, $28,650.

Department of Vital Statistics, which is under supervision of State Board of Health, $5,300.

Laboratory of Hygiene, $18,300.

Members of the State Board of Health are appointed by the Governor and Council for a term of four years and consists of four members, three of whom shall be physicians and one a civil engineer. The Governor and the Attorney General are also members by virtue of their office. The Secretary may be a member if so voted by the Board, but the law stipulates that the Secretary MUST be a physician.

The appropriations for the above department for the fiscal year ending June 30, 1924, are the same as given above, with the exception of items for printing reports does not come in the 1924 appropriations and are $1,500 for Board of Health, $2,500 for Vital Statistics. Laboratory report is bound with the State Board of Health report; $1,500 allowance made for this item.

Will send you further information, if desired.

Very truly yours,

(Signed) CHARLES DUNCAN, M. D.,
Secretary.

Springfield, Ills., February 9, 1924.

Hon. W. M. Boling, Chairman,
Frankfort, Ky.

Dear Sir:

Replying to your letter of February 5th, please be advised that:

1. The annual appropriation for the State Department of Public Health of Illinois totals $497,367.00.

2. In 1917, the Civil Administrative Code of Illinois was enacted. This instrument provided for a Department of Public Health, which did away with the State Board of Health.

3. The State Health Officer is designated the Director of Public Health and is appointed by the Governor. His appointment, however, must be concurred in by the Senate. The salary for this position is $6,000 per annum.

Under separate cover I am sending you the fifth annual report which is the most recent one published by the Illinois Department of Public Health, thinking perhaps you might find in this volume some facts of value in the investigation which your committee is making.

(Signed) ISAAC D. RAWLINGS,
Director of Public Health.

STATE OF NEW JERSEY
THE DIRECTOR OF HEALTH
February 11, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Your letter of February 5th is at hand. The total appropriation of this department for current year ending June 30, 1923, is $298,800.00.

We are sending you under separate cover circular 151, and by reference to the act printed on page 47 of said circular you will find copy of the law constituting the present Department of Public Health of the State of New Jersey, and by reference to section 3 of the act printed on page 48 of said circular you will find information concerning the appointment of the Director of Health or State Health Officer, and the

amount of his salary. We trust this will give you the desired information.

Very respectfully,
(Signed) J. C. PRICE,
Director.

Madison, Wisconsin, February 11, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Relative to your inquiry of February 5th, desire to state that our appropriation for state health work during the last calendar year was $155,670. This is exclusive of the license fees, such as we receive from the licensing of embalmers, plumbers, barbers, hotels and restaurants and nurses.

Our board is composed of seven members appointed by the Governor with the consent of the Senate. The term of office is for seven years, one member being appointed each year. The State Health Officer is selected by the board and the statutes provide that he cannot be removed except by a vote of five members. The salary of the State Health Officer is $6,000 per year.

We are enclosing one of our organization charts which will outline for you briefly our various activities and also gives you a skeleton of the organization.

STATE BOARD OF HEALTH,
(Signed) L. W. HUTCHCRAFT.

Indianapolis, Ind., February 8, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Replying to your inquiry in regard to the State Board of

Health of Indiana, you are advised as follows:

1. The present annual appropriation for the State Board of Health is $170,000 per annum; however, in addition to the legislative appropriation there are some fees available which increase the amount of money available for public health purposes to approximately $190,000.

2. The State Board of Health of Indiana is appointed by an appointing board consisting of the Governor, Secretary of State and Auditor of State. Four members are appointed by this appointing board, each for a term of four years. These members have mostly been physicians, although there is nothing in the law requiring such members to be physicians.

3. The Secretary of the State Board of Health, who is also State Health Commissioner, is chosen by the board itself, and when chosen he becomes a member of the board. The present salary of the Secretary of the State Board of Health is $5,000 per annum.

Very truly yours,
(Signed) WM. F. KING,
State Health Commissioner.

Cheyenne, Wyoming, February 15, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

The questions contained in your letter of February 6th will be answered below in their order:

1. Annual appropriation for state health purposes, $9,250.00.

2. Five doctors are appointed by the Governor to constitute the State Board of Health, one of which is designated the State Health Officer.

3. The State Health Officer is named by the Governor from one member of the board. Salary, $4,000 per year.

There was also appropriated by our last legislature

$3,000 to be matched by the Children's Bureau for Infant Welfare Work.

Very truly yours,
(Signed) GEO. ANDERSON,
G. M. ANDERSON, Sec.

Richmond, Va., February 14, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Mr. Boling:

Replying to your letter of February 5th, I will answer your questions as follows:

1. The appropriation for the State Board of Health for the year ending February 29, 1924, $184,084; for Vital Statistics Bureau, $25,090; for Catawba Sanatorium (white tuberculosis), $154,780; for Piedmont Sanatorium (colored tuberculosis), $56,310; for Blue Ridge Sanatorium (white tuberculosis), $177,389; total, $597,653.

2. The State Board of Health is composed of fourteen members appointed by the Governor, five of whom shall be members of the Medical Society of Virginia, one a member of the State Dental Association, one from each Congressional district, and two from the city of Richmond.

3. The State Health Commissioner is appointed by the Governor and is the executive officer of the board. His salary is $5,000 a year.

Trusting this information will be satisfactory, I am,

Very truly yours,
(Signed) ENNION G. WILLIAMS,
State Health Commissioner.

Montgomery, Alabama, February 11, 1924.

Dr. W. M. Boling,
Frankfort, Ky.

My Dear Dr. Boling:

Your letter of February the 5th is received.

1st. The annual appropriation to the State Board of Health of Alabama for all purposes is $205,000.00 plus about $10,000.00 for the control of rabies.

2nd. The Alabama State Medical Association is by legislative enactment the State Board of Health of Alabama. The doctors of Alabama in general assembly elect two members of the committee of public health each year for a term of five years. There are ten members constituting this committee on public health, which to all intents and purposes is the State Board of Health. The Governor is ex-officio chairman of this committee of public health.

3rd. The State health officer is elected by this committee, of public health subject to the approval by ballot of the State Medical Association in convention assembled.

The General Assembly passes all public health laws, and places the administration of these laws in the hands of the State Board of Health. The State Board of Health is responsible to the General Assembly for its conduct, and is required to make annual report of its actions and doings to the Governor, which is backed up by vouchers covering all moneys received and disbursed during the fiscal year.

The selection of the personnel of the board is left entirely in the hands of the board by law. The method of securing personnel is for the State Health Office to recommend to the board the appointment of each member one of the personnel, and also recommends the salary, which shall be paid the individual. The board is non-partisan and non-political. It has never engaged in state politics, and has never been interfered with by the political organization of the state. Efforts have been made at the meeting of every legislature since 1873 to substitute some other plan of health administration in Alabama, only one of which ever got out of the committee, in 1915. At this time the bill came to a vote. It received twenty-three in the house out of the possible 104. Public sentiment in Alabama has gradually grown into approval of the present

plan of administration, and if the duties assigned the board of health are as faithfully performed in the future as they have been in the past, the present system will last forever in Alabama. Public health organization has never been as popular in Alabama as it is today.

If I can be of further service to you, I shall be pleased to render it.

Respectfully,

(Signed) S. W. WELCH,
State Health Officer.

Austin, Texas, February 6, 1924.

Mr. W. H. Boling,
Frankfort, Ky.

My Dear Sir:

Our annual appropriation is $146,467.52.

Our State Board of Health consists of seven members chosen by the Governor, all physicians.

Our State Health Officer is president of the State Board of Health and State Health Officer, appointed by the Governor, salary $3,000.00.

At the next session we hope to have the law changed somewhat having six members of the board of health appointed and they select the State Health Officer at a raised salary. Other changes are desired.

State Health Officer.

Providence, R. I., February 9, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

In reply to your letter of February 5th, I wish to inform you that appropriations for the year 1923 were as follows:

Executive department, $22,000; pathological, $18,000;

chemical, $16,500; child welfare $16,000; venereal diseases, $7,500.

The State Board of Health is made up of seven physicians appointed from different parts of the State by the Governor, with the consent of the Senate. The term of office is for six years, and they are so appointed as to have a term expire each year. The secretary of the board is annually elected by the board for a period of one year. The secretary's salary is fixed by law, and is at the present time $3,500.

For any additional information, I might refer you to our general laws, copy of which may be obtained at your state library.

If there is anything further which you desire, we will be glad to furnish it upon request.

Respectfully,
(Signed) B. U. RICHARDS, Secretary.

Raleigh, N. C., February 12, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Your letter of February 5th is received. In reply to your questions I beg to submit the following:

1. The annual appropriation for State Public Health purposes in North Carolina is $425,000 per year, $75,000 of which sum is appropriated direct to the State Laboratory of Hygiene, which is under the supervision of the State Board of Health but which received its appropriation direct.

2. The State Board of Health of North Carolina is composed of nine members. Four of them are physicians in regular standing, and members of the State Medical Society, each of whom is elected by the State Medical Society for a period of six years from date of election. The expiration of their term is at different times. The other five members are ap-

pointed by the Governor and serve for the same length of time. Three of the Governor's appointees are physicians, one is a pharmacist, and one is a dentist. In case of the death of a member of the board before the expiration of his term the vacancy is filled by the other members of the board, and the man so appointed serves until the end of the term for which the deceased was appointed or elected.

3. The State Health Officer, or secretary of our State Board of Health, is elected by the nine members of the State Board of Health, and is elected for a term of six years. His salary is $5,000 per year, fixed by legislative action, plus his traveling expenses when out on official duties.

4. Fiscal year beginning July 1, 1924, will have amount increased by $40,000. Tuberculosis work including santorium is under separate control in North Carolina and is not included in this appropriation.

I am enclosing under separate cover a copy of our last biennial report which may aid you in getting a better idea of our organization.

Hoping this is satisfactory, I am,

Yours sincerely,

(Signed) G. M. COOPER,
Assistant Secretary.

Salt Lake City, Utah, February 14, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Replying to yours of the 6th inst. have to say:

1. Appropriations for the current biennial period for health purposes, including funds for matching funds of federal children's bureau: Salaries and wages, $25,760.00; office expenses, $5,890.00; travel, $4,400.00; equipment $700.00; matching Shepard-Towner funds $13,240.00.

2. State Board of Health is composed of seven members appointed by the Governor for a term of seven years.

3. Executice secretary of State Board of Health with title of State Health Commissioner is a member of the board of health and elected by the board.

Yours very truly,

(Signed) T. B. BEATTY,
State Health Commissioner.

Phoenix, Ariz., February 20, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Answering your inquiry of the 6th inst.

1. Annual appropriation for this department $19,055; annual appropriation child hygiene division under this department, $19,507.42.

2. Chapter 1, page 1419, Civil Code, 1913, paragraph 4367. There is hereby established a State Board of Health composed of a president, a vice president and a superintendent of public health. The Governor shall be ex-officio president, and the Attorney General shall be ex-officio vice president of said board. The Governor shall nominate and by and with the advice of the Senate appoint a superintendent of public health who shall be a practicing physician of the state. Governor Geo. W. P. Hunt is ex-officio president; Attorney General John W. Murphy is ex-officio vice president, and Dr. F. T. Fahlen is State Superintendent of Public Health.

3. Answered in 2. Salary $3,8000 per year.

In each county, of which we have fourteen, there is a local or county board of health of which the chairman of the board of supervisors is the ex-officio president and the executive officer is the county supervisor of public health, a practicing physician appointed by the supervisors. Any incorporated

town or city shall establish a local board of health of which the executive officer is a practicing physician, appointed by the mayor and confirmed in his office by the city council. The duties of the city or county boards of health, known as local boards, are the same as those of the state board, within their own boundaries, subject to the jurisdiction of the State Board of Health and reporting to it.

Under separate cover we are sending you a copy of the public health laws of the State of Arizona, which are self-explanatory. These laws are now being revised and you will in due time receive a revised copy. Also under separate cover we are sending you copies of the 1923 issues of our bulletin, which also are explanatory.

Very truly yours,
(Signed) F. T. FAHLEN,
State Superintendent of Public Health.

Lincoln, Nebraska, February 20, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

My Dear Sir:

We are in receipt of your letter of February 5th, requesting information concerning the State Board of Health of this state, and are pleased to give you same, which is as follows:

1st. The annual appropriation for state health purposes is $34,000.

2nd. Department of Health and Welfare headed by a superintendent, and consists of the following divisions: Division of Examining Boards, Division of Child Welfare, Div. of Vital Statistics, Div. of Venereal Diseases, Div. of Laboratories, Div. of Child Hygiene and Div. of Sanitary Engineering, each headed by a supervisor.

3rd. Superintendent of the department is appointed by the Governor, and his salary is $3,800.00 per annum.

Hoping this information is satisfactory, and with best wishes, I am,

Yours very truly,

(Signed) J. D. CASE,
Supt. of Dept. of Health and Welfare.

Harrisburg, Pa., February 21, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Mr. Boling:

I am in receipt of your letter of February 5th, requesting data concerning the State Board of Health of Pennsylvania.

The annual appropriation made by the State of Pennsylvania to the department of health is two million dollars.

The Secretary of Health and Advisory Board are appointed by the Governor with approval of the Senate.

Advisory Board is composed of six persons, two of whom shall be physicians o ften years' experience and one a civil engineer. They advise the Secretary of Health on such matters as he may bring before them. A majority constitutes a quorum.

The salary paid to the Secretary of Health is ten thousand dollars a year.

We are mailing you under separate cover a set of the organization and duties of the various boards and divisions of the State Department of Health.

If additional information is requested, do not hesitate to write us.

Very truly yours,

(Signed) CHARLES H. MINER,
Secretary of Health.

Dover, Del.,

February 19, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

My Dear Sir:

In response to your letter of February 6, kindly be advised that the answers to your questions are as follows:

1. Our annual appropriation for State Health purposes was $89,500.

2. Our State Board Health Commissioners is appointed by the Governor and is composed of seven members as follows: One physician from Wilmington and one from each of the three counties composing the state of Delaware, three women from the state at large. Not more than four of this board shall be of any one political party.

3. The State Health Officer is chosen by the above named commission and receives a salary of five thousand dollars per year.

We are not aware of any particular fact which may be of further value to you in your investigation other than those mentioned. Any further questions you may desire to ask we will be glad to answer.

Yours very truly,

(Signed) A. T. Davis,
Executive Secretary.

Columbus, Ohio, February 13, 1924

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

I am in receipt of your letter of the 5th inst. asking for certain information in regard to the State Department of Health. The questions are answered in the order of asking.

1st. The appropriation for the biennium July 1, 1923, June 30, 1925, is $1,060,219.98.

2nd. We do not have a State Board of Health, as that organization was abated in 1917. We now have a director of health with an advisory council consisting of the director of health and four members appointed by the Governor for a period of four years. The director of health is the administrative and executive head of the department. The functions of the public health council are legislative and judicial. The director of health must be a physician. Of the four members of the council, two are physicians, one is a lawyer, and one is a social worker.

3rd. The director of health is appointed by the Governor, and holds his office during the pleasure of the Governor. His salary is $6,500.00 per year.

I am sorry I am unable to send you a copy of the laws prescribing the powers and duties of the State Department of Health. Enclosed you will find a chart which will give you some information in regard to the organization and work that is being conducted by this department.

Yours truly,

(Signed) JOHN E. MONGER,
Director of Health.

Carson City, Nevada, February 12, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

In answer to your letter of February 6th, will say, our annual appropriation is $4,250 annually.

The State Board of Health is appointed by the Governor. The secretary of the State Board of Health is appointed by the Governor at a salary of $2,500 per year. The Governor is president through legislative enactment.

Very truly yours,

State Health Officer.

Bowman, N. D., February 15th, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

In reply to your inquiry of February 6th, will answer your questions in order.

1st. What is your annual appropriation for the State health purposes?

Ans. $17,000.00 for the biennial period of January 1st, 1923, to January 1st, 1925, this is for all purposes and is practically a waste of the state funds as it does not much more than merely pay the salaries of the personnel.

2nd. How is your State Board of Health chosen and who constitutes it?

The State Department of Health is composed of five persons called the Council of Health chosen by the Governor with a tenure of six years, one chosen every two years. The ex-officio members are the State Superintendent of Public Instruction and the President of the State Tuberculosis Association. One member has to be a woman, another a physician and another a licensed dentist. Their names may be found on our letter heads.

3rd. How is your State Health Officer or secretary of your State Board of Health chosen and what is his salary?

The State Health Officer is chosen by the Health Council, salary $3,600 a year with an indefinite tenure of office, requiring actual charges to be preferred and substantiated to the satisfaction of three members of the counsel with an appeal to the courts.

Yours very truly,

(Signed) A. A. WHITTEMORE,
State Health Officer.

Boston, Mass., February 11, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

In answer to your letter of February 5th, 1924, I submit the following information:

(1) The annual appropriation for the Department of Public Health for 1923, was as follows:

For the maintenance of the department	$700,288.84
For the maintenance of the Four State Tuberculosis Sanitoria	903,710.00
Toal	$1,603,998.84

(2) Massachusetts has a Department of Public Health consisting of a Commissioner of Public Health and an advisory body consisting of six members known as the Public Health Council. The Commissioner of Public Health is appointed by the Governor and council for a term of five years. The Public Health Council is also appointed by the Governor and council. Members of the Public Health Council are appointed for a period of three years each.

(3) The State Health Officer in this state is known as the Commissioner of Public Health, and is appointed as stated in the foregoing answer. He is paid a salary of $7,500 per year. The Public Health Council is paid a per diem rate of $10 per day. Meetings of the Public Health Council are held once and sometimes twice a month.

For your information, I am enclosing herewith a copy of Chapter 792 of the Acts of 1914, creating the Department of Public Health. This will give you additional information as to the manner of functioning of this department.

Very truly yours,
(Signed) EUGENE P. KELLEY,
Commissioner of Public Health.

Lansing, Mich., February 13, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Mr. Boling:

I have your letter of February 6th. The annual appropriation from the Michigan legislature for the maintenance of this department for the year ending June 30, 1924, is $373,-979.76. In addition to this we receive from the United States Public Health Service for venereal disease work $3,470.24. From the United States Children Bureau for the Sheppard-Towner Act $34,741.11.

The Michigan Department of Health is composed of an advisory council of five members appointed by the Governor with the consent of the Senate, and a State Commissioner of Health appointed by the Governor with the consent of the Senate for a term of four years. Four members of the advisory council are physicians and one is a lawyer.

The commissioner shall be a registered physician and shall have had at least five years' experience as a practicing physician or in lieu of such experience shall have a degree of Doctor of Public Health or its equivalent.

The council receives the actual expenses incurred in performing the duties of their office and $10 per day while attending meetings of the council. The salary of the commissioner is $5,000.00. The Council convenes on the call of the commissioner.

We are enclosing a pamphlet of the organization of the department prepared for popular distribution which will not give you any of the laws but will give you a general idea of the department work.

If there is any further information I can give you do not hesitate to write me.

Yours very truly,
(Signed) R. M. Olin, Commissioner.

Baltimore, Maryland, February 9, 1924

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Replying to your inquiry of the 5th, beg to advise:

1. Our annual appropriation for state health purposes is $266,220, plus $14,277.05 for Child Hygiene operating under the Sheppard-Towner Act.

2. Attached is a pamphlet entitled "Health Service," which shows the organization of the health department.

3. Salary of Director of Health is $4,500.

Yours very truly,
(Signed) JOHN S. FULTON,
Director.

Augusta, Maine, February 11, 1924

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Your letter of February 5, asking for information in regard to the State Department of Health of Maine, received.

Our new appropriation for all state health purposes, including the maternity and child welfare is $120,500.

Our State Department of Health is made up of six members called the Public Health Council, of which the Commissioner of Health is the chairman. The members are appointed by the Governor for terms of five years. The State Commissioner of Health is appointed by the Governor for a term of six years, the salary of the Commissioner being $4,000, but may be raised to not more than $5,000 by vote of the Governor and Council.

I am sending you under separate cover an abstract of the health laws of the state, which may be of use to you.

Very truly yours,
(Signed) C. F. KENDALL,
Commissioner.

City of Jefferson, Mo., February 12, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Replying to your letter of the 5th inst., we give you the following information:

1st. Appropriation varies — last legislature appropriated $291,800.00.

2nd. Elected by the board. The Health Officer acts both as secretary and State Health Commissioner and receives the salary of $5,00.00 per anum.

3rd. Composed of seven doctors appointed by the Governor.

Trusting this information will be of value to you in your investigation, I remain,

Yours very truly,
(Signed) CORTEZ F. ENLOE,
State Health Commissioner.

Helena, Montana, February 11, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Replying to your letter of February 6th, beg to advise that the total appropriatoin of the State Board of Health made at the last legislature was $43,686.92 per year for two years. In addition to this the State Board of Health gets considerable aid from the federal government as well as from the Rockefeller Foundation. Of course, this does not include the money spent by the various counties and cities in maintaining county and city health departments.

The State Board of Health consists of five members appointed by the Governor from a list of doctors furnished by the Montana Medical Association. Each year this association

furnishes a list of five men from which the Governor picks one each year to serve for a period of five years. The Board of Health so constituted chooses its own secretary, the secretary not being a member of the board. The salary of the secretary is five thousand dollars per year.

I have watched for some years the development of public health work in Kentucky and desire at this time to congratulate the people of Kentucky on their excellent organization and the results which have been accomplished in recent years.

Yours very truly,
(Signed) W. F. COGSWELL,
Secretary.

Boise, Idaho, February 12, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Relative to your inquiry of February 6th concerning the appropriation for public health work in this state:

1. The annual appropriation for state health purposes, exclusive of charitable institutions is $30,100.00.

2. The State Board of Health is under the Cabinet form of government and is called the "Department of Public Welfare," which has charge of all the public health in the state, the three insane institutions, Soldiers' Home and Lava Hot Springs, together with the chemical and bacteriological laboratories and also the Bureau of Vital Statistics.

It is composed of the Commissioner of Public Welfare, who is appointed by the Governor at a salary usually of $3,600 per year. Myself as Director of Public Health Service at a salary of $4,000. Then there are two chief clerks, stenographers, sanitary inspectors, etc.

3. The third question is answered in the above.

With reference to any other facts that may be of value, I would say that the head of the Public Health Work in the state should be a man chosen for his ability in this work, and he should be given a sufficient tenure of office to make it worth his while to outline a program and carry it through.

With best wishes, I am,

Respectfully yours,

(Signed) F. W. ALMOND, M. D., Director,
Public Health Service for Idaho.

Sacramento, Calif., February 11, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Mr. Boling:

Replying to your letter of February 6th, I am sending you under separate cover a copy of our General Health Laws, on page 5 of which you will find the information you request on the establishment and organization of our State Board of Health.

The appropriation of the State Board of Health for the biennium June, 1923, to July, 1924, $554,636.00.

The members of the State Board of Health are appointed by the Governor for a term of four years each. There are seven members. The members elect from their own number a president, vice-pesident and secretary.

The salary of the secretary is $4,500 per annum.

Trusting this is the information you desire, I am,

Very truly yours,

(Signed) W. M. DICKIE,
Secretary.

Des Moines, Iowa, February 14, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Mr. Boling:

Replying to your letter of February the 5th, will say that

the annual appropriation to defary the expenses of the members of the office of the State Board of Health is $10,000. We have other appropriations, as follows: Laboratory, $15,000; Venereal Diseases, $25,000; Vital Statistics, $10,000; Housing, $5,000, and Antitoxin $2,000.

The members of the State Board of Health are appointed by an appointing board consisting of three members of the State Executive Council. The board consists of four physicians and one sanitary engineer. The secretary is appointed by the same appointing board that appoints the board; his salary is $3,000 a year.

If you will write to Dr. C. St. Clair Drake, Springfield, Ills., he will send you a blueprint showing financial status of every State Department of Health.

Very truly yours,

(Signed) RODNEY P. FAGEN,
Secretary.

Hartford, Conn., February 13, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

I will answer your letter of February 5th making certain inquiries in the order in which the questions are asked:

1. This department does not receive an annual appropriation. The Connecticut Legislature is biennial and at the last session the following funds were appropriated for the next two years:

General Administration, $35,000; Antitoxins and Vaccines, $40,000; Preventable Diseases, $35,000; Vital Statistics, $30,000; Sanitary Engineering, $40,000; Laboratory Maintenance, $60,000; Child Hygiene, $55,000; Venereal Diseases, $20,000; Mental Hygiene, $10,000; Publis Health Nursing, $20,000; Public Health Education (included in administration); Salary Commissioner, $10,000.

2. The State Board of Health was abolished in 1917 and a State Department of Health formed with a Commissioner at the head and an advisory public health council of six members. These members consist of two doctors, one lawyer, one sanitary engineer and chemist, one expert sanitarian and one engineer.

The State Department of Health is divided into bureaus, these being as follows:

Bureau of Preventable Diseases, including Division of Mental Hygiene; Division of Venereal Diseases; Division of Occupational Diseases; Bureau of Vital Statistics; Bureau of Sanitary Engineering; Bureau of Laboratories; Bureau of Child Hygiene; Bureau of Public Health Nursing; Bureau of Public Health Instruction; Bureau of Administration, including Division of Medical Registration and Division of Supplies.

3. The Commissioner of Health is appointed by the Governor, as are the members of the Advisory Public Health Council. The salary of the Commissioner is $5,000 annually.

The commissioner's last biennial report is being sent you under separate cover.

Sincerely yours,
(Signed) STANLEY H. OSBORN,
Commissioner.

Little Rock, Ark, February 9, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

In Dr. Garrison's absence from the city I am taking the liberty to answer your questions relative to the organization of the Arkansas State Board of Health as follows:

1. Our General Assembly made appropriation of $87,000.00 for the State Board of Health for the fiscal year ending June 30, 1924.

2. Our State Board of Health is composed of seven graduate, reputable physicians, appointed by the Governor from the seven Congressional districts; two are appointed each year for two years and three the third year. As the members hold office for four years, there are no appointments made the fourth year.

3. The State Health Officer is the Secretary of the State Board of Health and is appointed for four years by the members of the board. Salary $3,600.00.

Enclosed herewith is a copy of Act 96, 1913, creating the State Board of Health, from which you may secure other desired information. This act, however, has been amended in a few instances.

Yours very truly,
(Signed) MARTHA BEADENY,
Secretary of Dr. Garrison.

New Orleans, La., February 12, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Mr. Boling:

In reply to yours of February 5th, I enclose copy of Act 79 of 1921, in relation to boards of health, which will give you the information asked for.

Our annual appropriation for state health purposes is $100,000.

We have not worked under the new act, which provides for a dentist, druggist and educator to serve with the doctors on the board. I feel sure, however, this will be of value. Certainly the different aspects of health should be represented, and since the narcotic question is of such importance a druggist should be of assistance.

While the law is clear and the purpose all that it should be, there are ways of making every board the football of politics. This is very unfortunate. I have been president of the State Board of Health under four Governors, which does not

seem to indicate that Louisiana politics enters into the appointment, but you can readily see how an executive officer might be crippled by having a board that is not at all sympathetic. I merely state this by way of suggestion.

Very truly yours,
(Signed) OSCAR DOWLING,
President.

Jacksonville, Fla., February 14th, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Replying to your specific questions listed in commuication to this office dated February 5th.

The Florida State Board of Health receives one-half mill or approximately $203,000 per year.

In reply to your other questions, I am attaching excerpts from the rules and regulations of the Florida State Board of Health which are self-explanatory.

Sincerely yours,
(Signed) R. C. PORCH,
State Health Officer.

St. Paul, Minn., February 9, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

The annual appropriation for the present biennial period beginning July 1, 1923, is as follows:

1	For maintenance	$20,000
2.	For recording Vital Statistics	12,000
3.	For providing free antitoxin	10,000
4.	For the prevention of blindness	1,000
5.	For Venereal Diseases	25,000

6.	For Sanitary Engineering work	7,000
7.	For maintenance of laboratories	42,500
8.	For preventable diseases	25,000
9.	For maternity and infancy protection	15,000

The board divided this item between the laboratory of the Division of Preventable Diseases and those of the Division of Sanitation. The Division of Sanitation receives $13,500 per annum, the remainder goes to the Division of Preventable Diseases.

Enclosed is the statement submitted to the 1923 legislature in regard to the State Board of Health budget. No doubt certain increases would have been granted, as well as certain new appropriations had the state been in prosperous circumstances, but economy was absolutely essential, the Governor and the members of the legislature being pledged to strictest economy and limitation of appropriations.

Section 4636, G. S. 1913, governs the constitution of the board as follows: "The State Board of Health shall consist of nine members, learned in sanitary science, who shall be appointed by the Governor for such periods that the terms of three members will end on the first day of January in each year. Vacancies therein shall be filled by like appointment for the unexpired terms, and each member shall serve until his successor qualifies."

Section 4637, G. S. 1913, states in part: "The board shall elect a secretary to serve at its pleasure, who may or may not be one of its members." Since January, 1913, the secretary and executive officer of the State Board of Health has not been a member of the board. It is a fixed policy now, and we believe an advantage both to the executive officer and to the board itself that the secretary is an employe rather than a member of the board. The salary of the executive officer, like that of all other employes, is fixed by the board. The present salary is $5,400 per annum.

The Minnesota House of Representatives appointed an interim committee. This committee is in session from time to

time, and a report was prepared relating to the work of the board in compliance with a letter, copy of which is attached. We have no extra copy of this report at present. It comprises thirty-six pages single spaced letter size typewritten, and six tables giving the comparative statements required under item 4 of the enclosed letter. If you feel that this report would be of real value to you, I would be pleased to send you a copy, but must have it copied for this purpose.

I am very greatly interested in the health work in Kentucky. The Minnesota State Board of Health was created March 4, 1872. The experience of the board, covering nearly fifty-two years' continuous work, we hope will be of value to the members of our interim committee when they consider reorganization of government departments. The present and previous members of the Minnesota State Board of Health as well as the chief medical and health authorities in the state, I am sure, feel that the satisfactory work of the board has been due, largely, to continuity of policy made possible through long service of board members and board employes. For example, Dr. Charles N. Hewitt, first secretary, served twenty-five years. His successor, Dr. Henry M. Bracken, served twenty-three years. The services of Dr. Chas. E. Smith, Jr., assistant secretary when Dr. Bracken resigned, covered only two years and were terminated by his fatal illness. I was required by the board to carry on his work for six months before his death as acting secretary, and then succeeded him. My services with the board began in June, 1901, so I have had ample opportunity to learn the ropes through the different positions I have filled since that date. I am sure that the directors of the various divisions would have a very different feeling about their work than they now do had there been frequent changes of secretaries, as would be inevitable were the secretary a member of the Governor's Cabinet or his appointment depended upon political influence directly or indirectly.

Under separate cover I am sending you a copy of the

magazine "Health," which gives a brief statement relative to the work of the Minnesota State Board of Health.

Respectfully,
(Signed) A. J. CHESLEY,
Executive Officer.

The following letters were sent to the county judges of the different counties in Kentucky:

County judge of.....County,
....., Kentucky

My Dear Sir:

As chairman of a legislative committee, I am writing to ask you what the Kentucky State Board of Health has done in your county during the past two years.

The records show that this board is spending a very large sum of money from the State and the claim is made by their friends that they are rendering a splendid service in the conservation of the health of our people. Their opponents on the other hand claim that they are rendering very little service, but that they have built up in each county something of a medico-political machine.

I am, therefore, addressing this letter to the county judge of each county in order that facts may be brought out as far as possible.

An early reply addressed to me at Frankfort, Ky., will be appreciated.

Yours very truly,
(Signed) W. M. Boling, Chairman.

The following replies were received:

Owensboro, Ky., February 11, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

The Daviess County Fiscal Court has had quite a round of trouble with the Daviess County Board of Health, which is

composed of five members, three of whom, as provided by the present law, are physicians appointed by the State Board of Health, and one of whom is the county judge and one of whom is appointed by the fiscal court. Thus the county board of health composed of five members with three of the five being the appointees of the State Board of Health furnishes a splendid opportunity for the State Board to dominate the county board itself and therefore, the health affairs of the county.

I for one do not like that situation. In 1922 the county board of health called upon the fiscal court for an appropriation of $5,000.00 as the county part of the expenses of an "All time health department" for the year 1922. The fiscal court refused to make a $5,000 appropriation, but did make an appropriation much less than that amount.

The three members of the county board appointed by the State Board of Health voted to sue the fiscal court to compel the $5,000 appropriation. The case went to the Court of Appeals and was there decided in favor of the fiscal court. The suit was brought under section 2054a, Carroll's Kentucky Statutes, 1922.

However, I feel that good work is being done in Daviess county by the health department and the fiscal court makes as large an appropriation to help defray its expenses each year as it, the fiscal court, feels that it can afford to make. At the same time the fiscal court resents and resists any attempt on the part of the State Board on its own initiative or through the county board to dominate health affairs and to compel the fiscal court to make larger appropriation that the fiscal court feels that it can make.

Personally, I think the State Board of Health ought to be appointed by the Governor and the county board appointed by same authority in the county.

Very truly yours,

(Signed) R. L. McFarland,

Judge Daviess County Court.

Irvine, Kentucky, February 12, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

My Dear Sir:

Your letter of the 8th received and in reply will say that the people of Irvine and Ravenna are of the opinion that we have no Kentucky State Board of Health. I have been reliably informed that there has been a number of complaints gone in to the Kentucky State Board of Health from Irvine and Ravenna relative to the filthy water furnished the two towns by the water company, also as to the sanitary conditions of open sewers and filth and rubbish piled up in alleys and on lots in the incorporation of the two towns.

Yours, truly,
(Signed) CLARENCE C. SPROUL,
County Judge.

Scottsville, Kentucky, February 9, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

In answer to your letter of the 6th inst. relative to the benefits this county has received from the State Board of Health; if this county has received any I am not aware of it. They have been trying to force us to employ a county health officer out of one of their members at a salary that we think prohibitive in this county; also wanted this county to employ an all time nurse, and have been accusing members of the fiscal court of not having done their duty in not employing both health officer and nurse.

They have a very strong organization here and won't let one of their number accept the position of county health officer at a salary the county could pay, or we felt that we could pay; it may be possible we could have received more benefits

if we had a county health officer, but we have gotten along very fine without one so far.

Yours truly,
(Signed) W. F. PARDUE,
County Judge Allen County.

Burlington, Kentucky, February 9, 1924

Hon. W. M. Boling,
Frankfort, Ky.

My Dear Sir:

I cannot recall anything that has been done in this county within the last two years by the State Board of Health other than appoint a county board of health and the board has not qualified.

Yours truly,
(Signed) N. E. RIDDELL, County Judge.

Wickliffe, Ky., February 9, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Your letter of the 6th inst. came in this morning and the contents carefully noted, and will advise that so far as I know the State Board of Health has done nothing in Ballard county. A few years ago we had a county health officer, who I believe was appointed by the county and state boards, but we do not even have this now, and I believe I can truthfully say that they are doing nothing in Ballard county.

Respectfully,
(Signed) BEN B. MORRIS, Judge.

Nicholasville, Ky., February 11, 1924.

Mr. W. M. Boling, Representative,
Frankfort, Ky.

Dear Sir:

Within the last two years two parties in this county were

assessed a small fine each in violation of section 2060, Kentucky Statutes.

Very truly yours,
(Signed) H. L. Scott,
Judge of Jessamine County Court.

Lancaster, Ky., February 12, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

My Dear Sir:

You ask me what the Kentucky State Board of Health has done in our county during the past two years, I will say nothing that I can call to my mind except a baby clinic held in the court house during the summer or fall of 1921, and an examination held during the fall of 1922 for babies during the county fair, so this is all I can call to mind.

G. M. Treadway, Judge.

Brownsville, Ky., February 12, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

In reply to your letter on opposite side wish to state that the State Board of Health has done very little good in Edmonson county, if any. They were here in the year 1922, early part of the fall I think it was, camped up here at lock No. 6 on Green river for about two weeks a mile above Brownsville, Ky. The doctor treated a few cases of trachoma and cut out a few tonsils, there was some five or six bunches counting the nurses and the drivers.

They all camped at the locks; in the two weeks they worked about four days.

Yours very truly,
(Signed) G. W. Lindsay,
County Judge of Edmonson County.

Winchester, Ky., February 13, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

My Dear Sir:

Your letter of February 7th is received and in reply I would state that the following is a list of some of the things which have been done by the Kentucky State Board of Health in our county:

1. The State Board of Health has established and maintained a bureau for the registration of births and deaths. This is a very important and valuable department, as we are now enabled to obtain certified birth and death records.

2. The State Board of Health has established and maintained a department of community health nursing, with a trained public health nurse in charge. This has been of inestimable value to the county, not only in taking care of the sick, particularly cases of tuberculosis, but also in the prevention of the spread of consumption.

3. The State Board of Health has established and maintained a venereal clinic, where free treatment is administered to all venereal cases, and where all prostitutes having venereal diseases are compelled to take treatment until cured. The clinic treated in December, 1923, 331 cases and in January, 1924, 323 cases. This clinic has greatly reduced the number of venereal cases in the county by preventing the spread of these diseases.

4. The State Board of Health has established a county board of health with a county health officer who is also assistant collaborating epidemiologist to the State Board of Health and this has been and is especially valuable in the prevention and control of infectious and contagious diseases in our county.

5. The State Board of Health has established and maintained a department which requires the reporting of every infectious, contagious and venereal disease, and thereby aids in the prevention of epidemics of these diseases.

These are only a portion of the many good things that have been done for the public by the State Board of Health in our county, and I shall be very glad to furnish you with any further information that you may desire in regard to this matter.

In conclusion, I would say that it is the unanimous opinion of the people of our county that it would be a very grave mistake to make any change in the present law governing the State Board of Health and the Board of Charities and Corrections.

Very truly yours,
(Signed) R. S. SCOBEE,
Judge Clark County.

Hickman, Ky., February 11, 1924.

W. M. Boling, Representative,
Frankfort, Ky.

Dear Sir:

In regard to your letter of February 6th, will say that the State Board of Health of Kentucky has spent the sum of $2,500 annually for the past two years, which covers the time that I have been county judge of Fulton county. We made application for a larger sum of money from the state last year but they claim that was all they could spend in this county. For the past two years they have not met the county appropriation dollar for dollar as was our understanding when the state delegation met the county fiscal court two years ago and also last year.

Yours very truly,
(Signed) CHAS. D. NUGENTY,
County Judge.

Murray, Kentucky, February 11th, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Mr. Boling:

There is plenty of evidence that the Board of Health is

well organized and that it takes a hand in politics.

I think this legislature would do the people a splendid service to rewrite the whole law and put on a less expensive program for the service rendered.

Yours truly,
(Signed) L. A. L. LANGSTON,
County Judge.

Liberty, Kentucky, February 11, 1924.

Hon. W. M. Boling, Rep. 32 Dist.,
Frankfort, Ky.

Dear Sir:

In answer to your letter of recent date regarding the State Board of Health will say that I am perfectly satisfied with the State Board of Health and the work they are doing, and I want to caution you very particularly against your voting with Dr. Board, etc. Don't line up and help put the Ripper Bill over because its not the right thing and will not help us any.

(Signed) OSCAR FAIR.

Morgantown, Ky., February 12, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Find herewith report of work done by the State Board of Health in my county, as per your request.

Yours truly,
(Signed) G. T. PHELPS,
County Judge.

COPY OF ENCLOSURE

Report of the Trachoma Clinic held in Butler county, Ky., by Dr. Kobert and assistants during August, 1923, as made by G. T. Phelps, county judge.

Butler county experienced the largest and most thorough Trachoma Clinic there was ever held in this county during August, 1923, when Dr. C. B. Kobert, of the State Board of Health, with two trained nurses, Misses Cordelia Bickett and Mabel Robertson, of Louisville, and Mr. E. V. Cook, Jr., of Danville, assistants, came into this county overland with their camping outfit, established their camp on the banks of Green river, close to Morgantown and at once went to work, visiting and inspecting rural schools.

Twenty-five such school inspections were made with the result that 800 school children were examined for trachoma. Dr. Kobert made 1,500 inspections and operated on 200 people while in this county. People after hearing and knowing of his work came 20 to 25 miles, some on horse back, to have their eyes treated.

The manner in which the clinic was conducted, the courteous and kind treatment the patients received, the good results derived from the clinic, have created an everlasting interest in public health work in this county, and the citizens are open in their commendation of Dr. Kobert's work in this county. Dr. G. E. Embry, the county health officer, C. C. Threlkel and J. H. Austin, of this place, gave hearty and loyal support to Dr. Kobert during his stay here, and extended every assistance to help make the clinic a success. The court house, where the clinic was held, was turned over by the county judge, G. T. Phelps, and sometimes there were as many as 100 people waiting to be inspected and given treatment or to be operated on.

The results and the good derived from this clinic will be felt in this county for years, because the people not only of good circumstances took advantage of the opportunity to be treated and operated on, but hundreds of our citizens were treated who could not afford to go outside of the county to be treated. All were treated alike, and all were more than pleased with the clinic.

Greensburg, Ky., February 11, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Replying to your letter of the 8th inst. in regard to the State Board of Health, if they have done anything in Green county, practically nothing, as far as I know.

Yours very truly,
(Signed) C. R. GRAHAM,
County Judge.

Mayfield, Ky., February 13, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Replying to your inquiry concerning the doings of the State Board of Health in Graves county during the past two years. I fail to find any great service rendered to our county. I may not know of all the work of said board in this county, but to the best of my knowledge our benefits are negligible.

Yours very truly,
(Signed) J. W. MONROE,
County Judge.

Manchester, Kentucky, February 13, 1924.

Hon. W. M. Boling, Chairman,
Frankfort, Ky.

Dear Sir:

I have before me yours of the 6th inst. and have to advise that if the State Board of Health has done anything in my county I do not know what it is.

It is true that they spent some four or five days in Manchester in 1921, and about the same time at Big Creek last year, but if they did any good they failed to get credit for it

so far as I have been able to observe or hear. A dissolution of the organization would not hurt this county.

Yours very truly,
(Signed) I. J. HOWARD,
Judge Clay County.

Paducah, Kentucky, February 16, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Replying to your letter, permit me to say that the Kentucky State Board of Health has done nothing in this county in the past two years that cost the state fund one penny. The fiscal court has footed all health activities of every sort or kind.

The medico-political machine is right, and a "dandy," too. Every county board of health has three of the five members appointed by the state board, all M. D.'s, and the fourth M. D. secretary, or six to two in each county. Added to this the state board appoints chief county registrar of vital statistics and several district registrars, and these get statistics from all the M. D.'s and midwives over the county and the county fiscal court pays it all. This averages a cost to our county of some seven hundred dollars per annum.

Every physician in the county in general practice, gets from a few dollars to the price of a new overcoat, and the chief registrar collects usually about three hundred dollars as his part, while the district assistants gather smaller sums. These persons accredit, and properly too, the State Board of Health with this benificence, and three strokes of the well resined horse hair across the taut catgut by said State Board brings on a violent acrobatic activity among them.

There has never been, in the past forty years, such an iron bound, warranted not to leak, rip or tear, medico-political organization in Kentucky, and probably not elsewhere, as is this Board of Health of our Commonwealth.

See what you are "up against now." Is not that sufficient.

(Signed) JAS. M. LANG,
County Judge.

Cadiz, Kentucky, February 20, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

In reply to your question as to the expenditure of the Board of Health in Trigg county will say that I have attended the meetings of the local board at various times and as to their spending any of their finances furnished by the state board I know nothing of it. If they have received at any time any funds from the state board I have never heard of it.

Yours truly,
(Signed) G. W. RYAN,
Judge Trigg County.

Princeton, Kentucky,
February 8, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Sir:

The State Board of Health has done nothing in Caldwell county.

Yours truly,
(Signed) M. P. SMITH, *County Judge.*

Louisa, Kentucky,
February 14, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir and Friend:

Reply to your letter of the 13th in regards to the Kentucky State Board of Health, will say that if they have done

anything in this county in the last two years it must be the building of the medico-political machine, as to my personal knowledge they have done nothing. The county health officer never fails to get busy just before the session meets every two years, and our county pays him his salary. If the State Board of Health has ever spent five cents in Lawrence county I would like to know when and what for.

There has been a number of dog heads sent to them from the county in the past year and diagnose rabis without doubt, and Squibs serum follows (not free). Speaking for myself, I think I have a perfect right to know along this line of work and I don't think that there has been many mad dogs, if any, in this county in the past 20 years. Hoping that this will explain what you are looking for along this line, anything that you want to know farther about will be gladly furnished.

Respectfully,

(Signed) R. C. MOORE,
County Judge of Lawrence County.

Morehead, Kentucky,
February 16, 1924

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Your letter of 13th inst. received and in reply desire to state that I don't know of anything which Kentucky State Board of Health did for Rowan county the past two years. Some doctors and nurses held a clinic here last year and may have also held one the year before, for the treatment of trachoma, but whether they were sent here by the State Board, I am unable to say, as they did not consult with me in regard to the matter, and in fact I don't know why they came or whether the State Board sent them. My opinion is that if you can get some good laws passed to cut down these enormous expenses will meet with the approval of all the taxpayers.

Yours very truly,

(Signed) J. W. RILEY, *County Judge.*

Tompkinsville, Kentucky,
February 18, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Complying with your written request, will say, if there has ever been anything done by the State Board of Health in our county, I never heard of it, except possibly to confer by letter or telephone once or twice with the local board of health in an outbreak of smallpox in our county.

Respectfully yours,
(Signed) J. M. JACKSON, *County Judge.*

Taylorsville, Kentucky,
February 15, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Yours of the 13th just received and contents noted. I have no doubt that the State Board of Health has done much good in this state, but I do not know of anything it has done for Spencer county.

I think the trouble is that board functions mostly around the head office, and does not get in touch with the outside districts as it should; they do not get in touch with the county officials of the small counties.

Many of the county officials of the state do not know what to ask for, and how to proceed if they did; they do not know their legal rights, and the Board of Health have not put themselves in close touch with them. I think the law is all right but the service is not well distributed.

Very respectfully,
(Signed) I. F. JEWELL,
County Judge of Spencer County, Ky.

West Liberty, Ky.,
February 20, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Your letter of February 13th is at hand and contents noted in regard to the work done by the State Board of Health in Morgan county. So far as I know there hasn't been anything done in this county by the State Board of Health.

Yours truly,
(Signed) J. V. HENRY,
Judge Morgan County Court.

Mt. Vernon, Ky.

Mr. W. M. Boling,
Frankfort, Ky.

Dear sir:

In reply to your questions concerning the Board of Health's activities in this county.

They have never done much in this county, altho it may be because we haven't called on them.

I, therefore, hesitate to either recommend or condemn this board.

Respectfully,
(Signed) S. F. BOWMAN,
Judge Rockcastle County Court.

Whitley City, Ky.,
February 19, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Replying to your communication of February 13th, beg to advise that this is my second term as county judge of McCreary county. I was first elected in 1913, and my observa-

tions of the work of the Kentucky State Board of Health is that it has been of no benefit to this section of the country. Our county has made some appropriation which went to the State Board of Health, but we have not been able to get anything back and no service.

The fact is that the State Board of Health has rendered no service in McCreary county, at any time, during the six years that I have been in office, and that seems to be the general opinion of the people here.

I hope that you will use your influence and support the bill which abolishes the present health organization in Kentucky, and create a new one that will render some service to the people.

Respectfully,
(Signed) J. E. WILLIAMS,
County Judge of McCreary County.

Leitchfield, Ky.,
February 18, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

My Dear Sir:

I note that you are chairman of the investigating committee to investigate the State Board of Health, so I am sending you this information:

Grayson county has a regular county health nurse stationed here and after H. B. No. 35 was introduced in the House, or a few days before it was introduced, the State Board of Health sent into this county a special nurse, Miss Robetie, and I find out from the leading doctors of this county that the only duty that she performed was to create agitation against H. B. No. 35 and to get people to write letters and send telegrams to the Representatives urging them to work and vote against the bill.

However, from the information that I gather from the leading doctors, that was all she done. She met with the

Grayson County Medical Society while she was here and insisted that they pass resolutions in favor of Dr. McCormack and against the bill. If you desire it we can furnish you the statements of two of the leading doctors of the county, Dr. Geo. W. Armes and Dr. Marcus Phelps, which will verify these facts.

It was generally talked in this county before the last August primary that Dr. McCormack urged Dr. McMullen, of this city, a Bull Moose Republican, to make the race for Representative from this county, as they were under the impression at that time that I was going to make the race for reelection for Representative and they knew I was against the McCormack machine, and they considered that the people of Kentucky were agitating a change in the State Board of Health, therefore, were trying to hold the present board as it now stands.

I would just like to know if the state paid the expenses of this special nurse, Miss Robetie, who was sent into this county in the interest of the McCormack machine.

Hoping that this information will be of some help to you in your investigation, and with kindest personal regards,

Yours very truly,

(Signed) O. A. DENTON.

McKee, Kentucky,
February 11, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

Kentucky State Board of Health has done nothing in this county within the last two years that I know anything about.

Yours very truly,

(Signed) C. P. MOORE,
County Judge of Jackson County.

Paris, Kentucky,
February 26th, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

My Dear Sir:

Your letter of February 6th, making inquiry as to the Kentucky State Board of Health, was received.

Your letter would have been answered sooner, except for the fact that I have been ill for the past two weeks.

The State Board of Health has never done anything for the benefit of Bourbon county.

The County Board of Health, comprised of five members, three of whom are named by the State Board of Health, meets occasionally and adopts numerous resolutions. We have had the same three ordered by the State Board of Health to membership of the County Board of Health in this county for the past fifteen years. This constitutes a majority, and therefore a quorum, and they never notify the member appointed by the fiscal court or the county judge.

I have been county judge of this county for more than six years and I have never yet been notified of a meeting.

Those three members of the County Board of Health had Dr. McCormack over here before the fiscal court annually for the past two years in an effort to have Bourbon county establish itself into an alltime County Health Department.

The fiscal court has refused each time to do this, and the State Board of Health apparently became very much offended. Also the three members of the local board of Health appointed by the State Board of Health feel hurt about the decision of the fiscal court.

We have in this county a Health and Welfare League which is comprised of numerous women, and this league employs a nurse. A portion of the money to this league is provided by the fiscal court, but the larger part by private sub-

scription. This nurse, with the cooperation of the league, takes care of all the sick and also the needy.

The county could not support both institutions, and the fiscal court believes that the Health and Welfare League is more beneficial than the Alltime Health Department, and they further know that the control of the same would be in the hands of local people.

Since the fiscal court stood by the Health and Welfare League rather than the State Board of Health, those three members of this county have induced and attempted to induce numerous persons who have been donating to the Health and Welfare League from continuing their donations. Through these inducements one family, who had been contributing annually one thousand dollars discontinued their donation.

It further seems that the State Board of Health has some money which they distribute anually to certain counties, but none of this has never been spent in Bourbon county. Although the proposition has been made that they will pay to Bourbon county all money now due and as much as five thousand dollars if we will establish an Alltime Health Department.

My personal opinion is that the State Board of Health is more political than medical. I know that to be true of the County Board of Health.

The county health officer, appointed by the County Board of Health, draws a salary fixed by the fiscal court. The fiscal court has no choice in the selection of this health officer, and must pay him a reasonable compensation, and I will venture to say that in the past six years this health officer has not made six visits to pauper patients, and has not been worth five dollars to the county of Bourbon. This health officer is a parasite so far as this county is concerned, that the law places upon us, and one that we cannot rid ourselves of.

This letter is not private, and you are at liberty to use

it before any committee, members of the House or even Dr. McCormack.

Yours very truly,
(Signed) GEO. BATTERTON,
Judge Bourbon County Court.

Bedford, Kentucky,
February 16, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

In reply to your inquiry if State Board of Health has rendered any service to Trimble county, I have forgotten what it was.

Yours very truly,
(Signed) S. T. STANLEY,
Judge of Trimble County.

Henderson, Kentucky,
February 25, 1924.

Hon. W. M. Boling,
Frankfort, Ky.

Dear Sir:

I must ask you to pardon me for not replying to your communication of the 8th inst. sooner, but I am kept so busy all the time that I get behind with matters.

I am not advised that the Kentucky State Board of Health has done anything of importance in this county within the two years last past.

Some of its members, I am told, have been here on a few occasions, but they usually meet with the physicians here and I am not advised what transpires.

Several years ago the county, at great expense, established a tuberculosis hospital here, but the trustees closed it nearly two years ago, as it failed to function up to expecta-

tions. It was costing the county from $15,000 to $20,000 annually, and when it closed had only five or six patients. There is now a bill before your committee, I am told, to permit the county to dispose of it.

Our fiscal court and the people of the county are very much interested in the passage of the bill. We trust you may see your way clear to help relieve us of the burden.

Very truly yours,
(Signed) B. S. MORRIS, *County Judge.*

Smithland, Kentucky,
February 23, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

My Dear Sir:

In reply to your favor of February 13, in which you are making inquiry as to the service rendered my county by the State Board of Health, will say that as to said service, I am not very familiar as I have only been connected with the County Board of Health since November 2nd last.

If there has been any dissatisfaction in our local board either way or the other I know nothing of it, neither do I know of any politics having been injected in same for any reason or from any source, for said board consists of members affiliated with both parties and as to the State Board of Health's immediate business I am unable to give you an answer.

Yours truly,
(Signed) J. M. MONTGOMERY,
Judge of Livingston County.

Monticello, Kentucky,
February 20, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

In reply to your letter of the 13th inst. will say that dur-

ing the past year there has been little, if anything, accomplished by the State Board of Health in Wayne county.

Prior to 1923 they kept a community nurse in this county that I am told rendered splendid service.

If such a thing as a medico-political machine has been built up in this county I know nothing of it.

Very truly yours,

(Signed) J. S. SANDUSKY,
Judge Wayne County Court.

Leitchfield, Kentucky,
February 20, 1924.

Mr. W. M. Boling,
Frankfort, Ky.

Dear Sir:

I am in receipt of your letter making inquiry as to what the State Board of Health has done in this county (Grayson) within the past two years. This is a question that is hard to answer. There has been two clinics held in this county for the treatment of trachoma; several persons were treated for trachoma and diseased tonsile. Aside from this we have had a public health nurse for part of the time for about a year. I think the nurse has done some good work. She is paid part by the county and the Public Health and Welfare League and the state.

I am going to say, so far as I am able to observe, we do not get results in proportion to the amount of money spent for public health. As to the charges made that the State Board of Health is medico-political machine, I do not know. There is one thing that I do know; that they disregard the recommendation of local people as to the County Board of Health when making the appointments.

Yours truly,

(Signed) ROBERT KESSINGER,
County Judge.

Mr. Walker moved that the original report of said committee be received, printed and spread upon the Journal.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 243. An act to amend and add to chapter 89, Kentucky Statutes, title municipal corporations, and especially that part of said chapter relating to cities of the third class; and to authorize cities of the third class to acquire by purchase or otherwise and to operate street railroads and omnibus or taxicab lines and their equipment and to issue and sell bonds to raise funds for that purpose.

Said bill is as follows:

Whereas, it appears that in certain cities of the third class in this Commonwealth there exists street car systems consisting of tracks, cars, motive power and other appliances which have ceased to be operated and which may not resume operation by the present owners, and it being considered desirable by the population of such city or cities that there should be maintained therein street car systems or street omnibus or taxicab lines; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any city of the third class in this Commonwealth may by ordinance of its common council or board of commissioners, as the case may be, duly passed and adopted, provide that said city may acquire, and such city may thereupon acquire by purchase, lease or otherwise, any street car system existing in said city, with all of its appliances, or may establish and install such system, and may operate and

improve and extend the same when so acquired or when established and installed upon such terms and conditions as may be provided by ordinance and by the terms of the contract by which such system is acquired or installed, and any such city may acquire, establish, install and operate a street omnibus or taxicab system for the accommodation of its inhabitants and the traveling public, such omnibus or taxicab system to operate upon such streets, at such times, with such stations and stopping places and upon such terms for riding therein as the common council or board of commissioners, as the case may be, shall prescribe by ordinance for that purpose.

§ 2. In order to provide for the expense and financing of such street car system or street omnibus or taxicab line, such city may issue and sell bonds at not less than par and accrued interest, to bear any rate of interest not exceeding five per cent, payable semi-annually, and to mature at any time not exceeding twenty years after their date, and may provide for a sinking fund to meet said bonds at their maturity. But no such bonds shall be issued except in compliance with the general law of this Commonwealth in reference to the amount of indebtedness that may be incurred by cities of the third class, nor until after such vote and election as may be required by law to authorize the incurring of such indebtedness.

§ 3. It appearing that there may exist an emergency for the passage of this act, an emergency is declared and this act shall be in force from and after its passage.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	H. C. Duffy	G. W. Morgan
W. B. Ardery	Wm. M. Duncan	J. L. Morgan
T. H. Baker	D. E. Edwards	Wm. J. Moore
A. J. Baldridge	J. O. Evans	E. D. Morris
J. H. Baughman	O. C. Gartin	Chas. A. Nelson
L. D. Bax	T. H. Golden	F. V. Nunnelly
Homer Beliles	W. R. Haselwood	G. L. Perryman
C. W. Bennett	L. J. Jeter	V. H. Redwine
S. A. Blackburn	Hector Johnson	J. E. Robbins
W. M. Boling	J. Roy Johnson	Arthur Saunders
Wm. H. Bornhorst	A. J. Jolly	G. W. Shadoan
J. F. Bosworth	D. C. Jones	W. M. Simpson
W. J. Brandenburg	H. J. Kegley	Geo. W. Smith
Allen B. Cammack	T. H. King	A. W. Stamper
Sherman Chasteen	T. J. Knight	F. L. Strange
Lee Clark	Martin Light	D. D. Thornberry
Sam Cole	J. T. Linton	W. S. Tinsley
F. W. Collings	J. Will McFarlin	N. I. Toombs
L. F. Coomes	W. J. McMurry	C. D. Vincent
J. L. Cushing	R. D. McMurtry	W. S. Wallen
B. F. Day	J. L. Manning	E. C. Walker
J. R. Dorman	J. W. Martin	W. D. Watkins
E. J. Doss	E. B. Miller	C. Westerfield
G. L. Drury	Harry Miller	F. E. Wilson

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Resolved, that the title thereof be as aforesaid.

Mr. Walker moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the orders of the day a bill entitled:

S. B. 305. An act authorizing the sale of property heretofore or hereafter acquired and owned by any county or

counties of this state, to be used to establish a sanatorium for treatment of tuberculosis where such property has ceased to be used for such purpose, or in the judgment of the fiscal court of any such county of counties the property so acquired and owned by it or them is not being and cannot be maintained and successfully used for such purposes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That whenever any county or counties in this state have heretofore or may hereafter acquire and own any property for the purpose of forming a distict for the erection and maintenance of a tuberculosis sanatorium, and such property has ceased to be used for such purpose, it may, upon the petition of the fiscal court of such county or counties, be ordered to be sold by the circuit court of such county, or, where the district is composed of more than one county the circuit court of either of said counties, and the net proceeds paid into the proper county treasury or treasuries.

The board of trustees of such district shall be made defendants to the petition or if the trustees have resigned or ceased to act, then the proceeding may be by an ex parte petition by the fiscal court, in either case the court to be satisfied that the facts stated in the petition are substantially true and comply with this act. And the court being so satisfied shall decree the sale of such property upon such terms and conditions as may be just and proper and shall make such orders as may be necessary to invest the purchaser with the title to said property.

§ 2. If any such distrinct is composed of more than one county the net proceeds of such sale, after paying all court costs, just debts and claims, shall be divided between the counties in the proportion in which they contributed funds towards the purchase of such property and the construction of said sanatorium.

§ 3. In case such sale is decreed and made as herein provided, then the sanatorium district in which such property is located shall be thereby discontinued.

§ 4. All laws and parts of laws of this Commonwealth in conflict with this act are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	Wm. M. Duncan	G. W. Morgan
T. H. Baker	D. E. Edwards	J. L. Morgan
A. J. Baldridge	J. O. Evans	Wm. J. Moore
J. H. Baughman	O. C. Gartin	E. D. Morris
L. D. Bax	T. H. Golden	F. V. Nunnelly
C. W. Bennett	W. R. Haselwood	E. E. Palmore
S. A. Blackburn	J. Roy Johnson	J. J. Patterson
W. M. Boling	Hector Johnson	G. L. Perryman
Wm. H. Bornhorst	A. J. Jolly	J. L. Richardson
J. F. Bosworth	D. C. Jones	J. E. Robbins
W. J. Brandenburg	H. J. Kegley	Arthur Saunders
Allen B. Cammack	T. H. King	G. W. Shadoan
R. J. Cain	T. J. Knight	W. M. Simpson
Sherman Chasteen	John H. Lawson	Geo. W. Smith
Lee Clark	I. T. Layman	A. W. Stamper
Sam Cole	Leon P. Lewis	F. L. Strange
F. W. Collings	Leroy Lewis	D. D. Thornberry
L. F. Coomes	Martin Light	W. S. Tinsley
J. L. Cushing	J. Will McFarlin	N. I. Toombs
B. F. Day	W. J. McMurry	C. D. Vincent
J. R. Dorman	R. D. McMurtry	E. C. Walker
E. J. Doss	J. L. Manning	C. Westerfield
G. L. Drury	J. W. Martin	F. E. Wilson
H. C. Duffy	Harry Miller	

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Resolved that the title thereof be as aforesaid.

Mr. Walker moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the orders of the day a bill entitled:

H. B. 490. An act to repeal and to re-enact with amendments article XVIc, of sections 4535a-1 to section 4535b-2, in Kentucky Statutes, Carroll's edition of 1915.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That article XVIc. section 4535a-1 to section 4535b-5, inclusive, of Kentucky Statutes, Carroll's edition of 1915, be repealed and the following enacted in lieu thereof:

§ 1. That there shall be established and maintained two state normal schools in this state as follows: The Eastern Kentucky State Normal School and Teachers College located at Richmond, Kentucky, and the Western Kentucky State Normal School and Teachers College located at Bowling Green, Kentucky.

§ 2. The object of said State Normal Schools and Teachers Colleges shall be to carry into effect more fully the provisions of section one hundred and eighty-three of the Constitution of Kentucky, by giving to the teachers of the Commonwealth such training in the common school branches in the science and art of teaching, and in such other branches as may be deemed necessary by the Normal Executive Council hereinafter created, as will enable them to make the schools throughout the state efficient.

§ 3. There is hereby created a Board of Regents for

each of said Normal Schools and Teachers Colleges to be known respectively as the Board of Regents for the Normal School and Teachers College of Richmond, Kentucky, and the Board of Regents for the Normal School and Teachers College of Bowling Green, Kentucky. Said boards shall have perpetual succession with power to contract and be contracted with, to sue and be sued, to plead and be impleaded, to receive by any legal mode of conveyance property of any description, and to have and to hold and enjoy the same, also to make use of a corporate seal, with power to alter the same; to adopt by-laws, rules and regulations for the government of their members, officials, agents and employes: Provided, such by-laws shall not conflict with the Constitution of the United States and with the Constitution of the state of Kentucky.

§ 4. The Board of Regents for each of said schools shall be composed of five members, including the State Superintendent of Public Instruction, who shall be a member and chairman of each of said boards.

§ 5. Within thirty days after the selection of the Normal School sites, as hereinafter provided, the Governor shall appoint four Regents for each of said Normal Schools and Teachers Colleges, two of which shall serve for two years and two for four years, or until their successors are appointed and qualified, and two members shall be appointed in like manner every two years thereafter to serve for a term of four years each; and whenever a vacancy or vacancies occur in either of said boards by death, resignation, removal from the state, or by the operation of this law, or otherwise, the Governor shall, in like manner, immediately appoint some competent person or persons to fill such vacancy or vacancies. The person or persons so appointed shall hold office for the unexpired term; provided, that no two members of either of said boards shall be residents of any one county and that no more than three members of any of the said boards, including the Superintendent of Public Instruction, shall belong to the same political party.

§ 6. Said regents shall hold their office for a term of four years from the first day of April next preceding their appointment and until their successors are duly appointed and qualified, except such as may be appointed to fill vacancies, who shall hold for the unexpired term only.

§ 7. Each of said Boards of Regents shall hold its first meeting within thirty days after its appointment, the place of meeting to be designated by the Superintendent of Public Instruction, who shall administer the oath of office to each member. At this meeting there shall be elected a vice president and a secretary for each of said boards. Each of said boards shall also appoint a treasurer and such officers as it may deem necessary, but no member of either of said boards shall be selected as treasurer.

§ 8. Each board shall meet quarterly in the normal school buildings or at such other place as may be agreed upon. Upon a written request of any two members of the Board of Regents, or at the request of the faculty and signed by the president and certified by the secretary thereof, the chairman of the Board of Regents may call a special meeting at a place designated by him, stating the object or objects thereof and no other business shall be enacted at such meeing unless all the members of the board are present and consent thereto.

A majority of the members of said board shall constitute a quorum for the transaction of business, but no appropriation of money, nor any contract which shall require an appropriation or disbursement of money, shall be made, no teacher employed or dismissed unless a majority of all the members of the board shall vote for same.

§ 9. Each Board of Regents shall have general control and management of its Normal School and Teachers College; shall possess full power and authority to adopt all needful rules and regulations for the guidance and supervision of the conduct of the students of and department thereof; to enforce obedience to such rules, to invest the faculty with the power to suspend or expel any pupil for disobedience to such rules,

for any other contumacy, insubordination or immoral conduct, and have authority to appoint or dismiss all officers and teachers, to require such reports from officers and instructors as it may deem necessary, to appoint a treasurer for such school and to determine the amount of his bond, which amount shall not be less than ten thousand dollars.

§ 10. Each Board of Regents shall have full power and authority to confer under its corporate seal upon students of said school the following certificates and degrees:

1. Provisional elementary certificate of second class, valid for two years in any elementary school of the state, given on the completion of four units of prescribed work, two of which must be earned during an eighteen week continuous residence at the institution, the remaining two to be completed during summer sessions at the institution or equivalent credit to be accepted from standard high schools of the state.

2. Provisional elementary certificate of first class, valid for two years in any elementary school of the state, given on the completion of eight units of prescribed and elective work, four of which must be earned during two full semesters' residence at the institution, the remaining four to be completed during summer sessions or accepted from accredited institutions of secondary rank.

3. Standard elementary certificate, valid for three years in any elementary school of the state, given on the completion of sixteen units of prescribed work, four of which must be earned in residence during two full semesters' residence at the institution, the remaining twelve to be completed at this institution during regular sessions or accepted from other accredited secondary institutions.

4. College elementary certificate, valid for two years in any elementary school of the state, given on the completion of 32 semester hours' work in the college field, sixteen of which must be completed during one full semester's attendance at the institution, the remainder to be completed at this institu-

tion during regular or summer sessions or accepted from other accredited junior or senior colleges.

5. Advanced certificate, valid for three years and renewable for life after three years' successful teaching in any elementary school or high school, given on the completion of 64 semester hours of prescribed and elective work, thirty-two of which must be made during two full semesters' residence, the remainder to be completed at the institution during regular or summer sessions or accepted from other accredited junior or senior colleges. This certificate will permit the holder to occupy a superintendency, provided the holder thereof has completed a course of study preparing for that type of position. Students who complete the degree requirements of 128 semester hours of prescribed and elective work will be granted the advanced certificate.

§ 11. Each certificate and degree issued shall be signed by the State Superintendent of Public Instruction and such other persons as the Board of Regents of the institutions may direct. Any certificate may be revoked for cause by the Board of Regents of the school granting the same. Any superintendent may, for cause, revoke for his county, any certificate, or which revocation immediate notice shall be given to the State Superintendent of Public Instruction, and he shall have power to approve or reverse such revocation.

§ 12. The Board of Regents shall have power to appoint and to remove the president, professors and teachers of the normal schools, to fix their compensation, the commencement and the termination of their respective terms of office, not to exceed two years for any one term.

§ 13. No president, professor or teacher shall be removed except for incompetence, neglect, or refusal to perform his duty or for immoral conduct; nor shall such president, professor or teacher be removed until after ten days' notice in writing, stating the nature of the charges preferred; and such person shall have an opportunity to make a defense before the board by counsel or otherwise, and shall be allowed

to introduce testimony, which shall be heard and determined by the board. In every case of the suspension or expulsion of a student by the faculty, the person so suspended or expelled shall be allowed to appeal from the decision of the faculty to the Board of Regents, and it shall be the duty of the Board of Regents to prescribe the manner and mode of proceeding in the matter of such appeal, but the decision of the Board of Regents shall be final.

§ 14. No member of the Board of Regents nor member of the Normal Executive Council shall draw any salary for services as such, but shall receive six cents per mile for every mile necessary to travel in going to and from each meeting of the board and other legitimate expenses, to be paid out of the contingent fund of the school.

§ 15. No president, professor, teacher, regent, member of the Normal Executive Council or other officer or employe shall keep for sale or be interested, directly or indirectly, in any contract or purchase for the building or repairing any structure or for fencing or ornamenting the grounds or furnishing any supplies or material for the use of said normal school.

§ 16. The respective Board of Regents shall, at their regular meetings, provide for the payment of all indebtedness of the school and for that purpose they shall set apart all moneys which may be derived from tuition or other fees paid by students to the payment of: First, the incidental expenses of such school; and, second, the payment of such indebtedness; and until such indebtedness shall be fully paid off, no part of the fund derived from tuition or other incidental fees shall be used for the payment of professors, teachers or other officers or employes of such school, nor shall the board until such indebtedness be fully paid, make any contract for the hire, employment or payment of professors, teachers or other officials, or employes of such schools that will be a greater sum of money for the annual payment thereof than the amount

of the appropriation by the state for the support of said school for that year.

§ 17. The Board of Regents of each school may maintain, in connection with said normal schools, a model and practice school, under the supervision of thoroughly trained teachers, for the purpose of giving observation and practice work to the student teacher.

§ 18. The Board of Regents of each of said normal schools is vested with power to purchase additional real estate when in its judgment the same is necessary for the purposes of the school. If the Board of Regents be unable to agree with the owner or owners of such real estate as to its value, or to purchase of same, it may preceed in its own name, in any court having jurisdiction, to condemn such real estate in the same manner as provided by law in the condemnation of lands for railroad purposes. Real estate acquired by purchase or condemnation shall be paid out of moneys appropriated to said school. Each Board of Regents may, on such terms as it may regard best for the school, lease or donate a lot of land for the purpose of securing the erection of a library thereon; each board may also erect or lease for another for a term of years any necessary buildings or grounds. Each Board of Regents may, when it regards the same to be best for its school, sell and convey any real estate or buildings now owned by it, but the proceeds arising from such sale must be reinvested in other real estate and buildings for the use of said school.

§ 19. The Superintendent of Public Instruction, together with the president or head executive officer of each State Normal and Teachers College, herein created, shall constitute a Normal Executive Council, whose duty it shall be to prescribe the course of study to be taught in each normal school and the educational qualifications for admission to and graduation from the same.

§ 20. At the first meeting of the Normal Executive Council, which shall occur within one month after the election

of the president of said normal school, herein created, there shall be elected from said council a vice president and secretary; the Superintendent of Public Instruction shall be ex-officio president of the council.

§ 21. This council shall hold its meetings annually, or as much oftener as may be deemed necessary, at the State Capitol or at one of the normal school buildings, or at such other place as may be designated by the Superintendent of Public Instruction, and a majority of the members shall constitute a quorum.

§ 22. It shall be the duty of the secretary of the Board or Regents to keep and preserve all records, books and papers belonging to the board. He shall keep a journal of the proceedings of the board in which, if requested by any member of the Board of Regents, the yeas and nays on all questions shall be entered. He shall prepare, under the direction of the board, all reports, estimates and execute all such matters as belong to his office. His compensation shall be fixed by the board.

The secretary of the Board of Regents shall annually on or before the first day of August, transmit to the State Superintendent of Public Instruction the names of those receiving such certificates, their date of issue, and the place of residence of each holder, and the State Superintendent shall annually, not later than August 15th, forward to each school superintendent a printed list of persons holding state certificates then in force, and those authorized to teach under the provisions of this section, giving names, dates of qualification and by who conferred, and the date on which each normal certificate shall expire; and the holder of such certificate shall, before commencing to teach a public school in any county or city in this state, notify the superintendent thereof of such fact, give date of qualification and by whom conferred, and the superintendent shall verify same by examination of the list sent him by the State Superintendent and if found

correct, shall duly record the said teacher as eligible to teach in such county.

§ 23. The president of each normal school shall make to his Board of Regents written reports in duplicate, during the month of August of each year, which shall contain a full account of all receipts of money from appropriations, tuitions, fees and other sources, and the disbursement thereof, and for what purpose and the condition of the said normal school.

§ 24. The treasurer of the respective Board of Regents, before he enters upon the duties of his office, shall enter into a bond to the Commonwealth of Kentucky, with not less than two solvent sureties or a guarantee company authorized to do business in Kentucky, in a sum of not less than ten thousand dollars, to be approved by the board, conditioned that he will faithfully perform all the duties required of him by law as such treasurer, which bond shall be filed with the secretary of the board.

§ 25. It shall be the duty of the treasurer of the board to receive and distribute all money under the control of the Board of Regents and perform all such acts as pertain to his office, under the direction of the Board of Regents and to make a report of the same to the board at its quarterly meetings. In the month of August of each year, the treasurer of said board shall also make and furnish to the Board of Regents to be by it transmitted to the State Superintendent of Public Instruction, an abstract of which shall contain full accounts of all moneys received and disbursed by the school during the preceding year, stating from what source received and on what account paid out and the amount paid to each professor, teacher or other officer of the school, and on or before the second Monday in January, one thousand nine hundred and eight, and every two years thereafter said treasurer shall report to the Board of Regents, to be by it transmitted to the General Assembly, an itemized statement of all receipts and expenditures for the two calendar years preceding, showing minutely all disbursements of money received from the

state and other sources. The compensation of the treasurer shall be fixed by the Board of Regents.

§ 26. All appropriations made by the General Assembly for the support of normal schools, or for the benefit thereof, and all grants, gifts, bequests or donations by any individual or corporation for specified use, shall be applied to such use or uses and no other.

§ 27. Any county or city superintendent may appoint students to the Normal Schools and Teachers Colleges subject to the rules and regulations governing the same that may be made by the Normal Executive Council.

§ 28. For the convenience of students who may be attending the State Normal Schools, examinations may be held by the governing authorities thereof in accordance with the rules and regulations prescribed by the State Superintendent of Public Instruction.

§ 29. That it shall be illegal for any officer, trustee or any person in any way connected with the Eastern Kentucky State Normal School and Teachers College, the Western State Normal School and Teachers College or the State University of Lexington, Kentucky, to contract any obligation for or on behalf of said institution, when there is no money, or sufficient money, in their respective treasuries, or has been no money appropriated for the purpose for which said contract or obligation was made, and that any of said persons who fail to comply with this law shall be fined in each case not less than two hundred and fifty dollars, nor more than two thousand dollars, or confined not less than ten days in jail nor more than six months, or both so fined and imprisoned.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	E. J. Doss	Wm. J. Moore
W. B. Ardery	Wm. M. Duncan	Chas. A. Nelson
T. H. Baker	D. E. Edwards	F. V. Nunnelly
A. J. Baldridge	J. O. Evans	E. E. Palmore
J. H. Baughman	O. C. Gartin	J. J. Patterson
L. D. Bax	W. R. Haselwood	V. H. Redwine
Homer Beliles	Hector Johnson	J. E. Robbins
C. W. Bennett	J. Roy Johnson	C. W. Ryans
J. E. Bickett	H. J. Kegley	Arthur Saunders
S. A. Blackburn	T. H. King	G. W. Shadoan
W. M. Boling	T. J. Knight	W. M. Simpson
Wm. H. Bornhorst	I. T. Layman	Geo. W. Smith
J. F. Bosworth	Leroy Lewis	F. L. Strange
Allen B. Cammack	Martin Light	H. Q. Thompson
R. J. Cain	J. T. Linton	D. D. Thornberry
Sherman Chasteen	J. Will McFarlin	W. S. Tinsley
Lee Clark	W. J. McMurry	N. I. Toombs
Sam Cole	J. L. Manning	C. D. Vincent
F. W. Collings	J. W. Martin	W. S. Wallen
L. F. Coomes	E. B. Miller	E. C. Walker
J. L. Cushing	Harry Miller	C. Westerfield
B. F. Day	G. W. Morgan	F. E. Wilson
J. R. Dorman	J. L. Morgan	

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Resolved that the title thereof be as aforesaid.

Mr. Walker moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had adopted the following resolution, viz.:

Be it resolved by the Senate of Kentucky and the House of Representatives concurring therein, the following:

Whereas, F. M. Woods, principal of the Kentucky Industrial and Normal Institution has extended to the General Assembly an invitation to be its guests on Friday night, March 7, 1924, and

Whereas, the same has been accepted,

Be it resolved:

That owing to the fact that this is a very inconvenient time for members of the General Assembly to attend, that Hon. J. S. Haselden be appointed a member of a committee of the Senate to act in conjunction with a member appointed by the Speaker of the House to confer with Principal Woods and ask him to arrange either Tuesday, Wednesday or Thursday night of next week as a more suitable time to entertain the members of the General Assembly and report its findings to the two houses not later than Friday, March 7, at eleven o'clock a. m.

Ordered that said resolution be referred to the Committee on Rules.

At the instance of the Committee on Rules the House took up for consideration from the orders of the day a bill entitled:

H. B. 191. An act to provide for old age pensions.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That every person of the full age of sixty-five years or over, sane and of good moral character, who is not an inmate of any county or state institution for the poor and who

with the aid of a pension would be enabled to find a comfort able home with friends or relatives or maintain themselves in a home of their own, shall be paid the sum of twenty dollars ($20.00) per month, payable quarterly, out of any funds in the treasury not otherwise appropriated.

§ 2. That hereafter any person of the age of sixty-five years or over, sane and of good moral character, and who is eligible to become an inmate of any county or state institution for the maintenance of the poor, shall be entitled to receive a pension of twenty dollars ($20.00) per month, provided such person can with such assistance be comfortably maintained at their own home or in the home of some relative or friend.

§ 3. The State Board of Charities and Corrections shall, in adition to their other duties, act as and perform all the duties of the old age pension commission of the State of Kentucky in accordance with the provisions of this act and may, with the consent and approval of the Governor, appoint a competent person to act as superintendent of old age pensions and poor relief under such rules and regulations as such pension commission may adopt for the carrying out of the provisions of this act. Said superintendent shall be paid the sum of three thousand dollars ($3,000.00) par annum and all legitimate expenses incurred in the performance of his duties.

§ 4. The pension commission shall have discretionary power and authority in granting pensions and may suspend or revoke the pension of any person if it be found upon investigation that the pensioner is not being maintained or cared for in a proper manner.

§ 5. It shall be the duty of the Pension Commissioner to keep an accurate record of all pensions granted, refused and revoked, or suspended, and shall annually file with the Governor in writing a report of their acts and expenditures, together with any recommendations they may deem necessary, and the Governor shall transmit the same to the General Assembly.

§ 6. The Pension Commission shall also make an in-

vestigation of conditions existing in the county homes or poor houses, the cost of maintaining them, the number of inmates remaining after the aged pensioners have been removed, and the advisability of instituting one or more state homes to care for indigent persons who will necessarily have to be placed in an institution under the direct management of the state and the abolishment of the present system of the county poor house, and report its findings, together with their recommendations, to the next session of the legislature.

Mr. Cushing offered the following amendment to said bill, viz.:

Amend H. B. 191 by inserting in section 1, line 2, of the printed bill after the word 'character'' and before the word ''who'' the following:

''who has resided in the state of Kentucky fifteen consecutive years next before making application for pension and whose income does not exceed the sum of $250.00 per year, and''

Amend lines 6 and 7, page 1, section 1 of the printed bill so when amended will read as follows: ''dollars ($20.00) per month, payable quarterly, out of a fund which shall be created by the assessment of 25 cents poll tax, in addition to the present poll tax, upon every male voter in the Commonwealth of Kentucky. Such fund shall be known as the old age pension fund and shall not be diverted to any other purpose, and said poll tax is to be collected in the same manner as other state taxes.''

Amend H. B. 191 by striking out of section 3, lines 9, 10 and 11 in the printed bill.

Amend H. B. 191 by adding at the end of section 3 of the printed bill as amended the following: ''The Red Cross or any

other recognized welfare body shall be empowered to investigate all applicants who may apply for a pension and said body shall report their findings to the Old Age Pension Commission."

Said amendments were each and severally adopted.

Mr. Martin offered the following amendment to said bill, viz.:

Amend H. B. 191 of the printed bill by striking from line 6, section, the words and figures "$20" and substitute therefor the words and figures "$15."

Mr. Bennett moved that said amendment lie on the table.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Bennett and Knight, were as follows, viz.:

Those who voted in the affirmative were—

J. H. Baughman	D. E. Edwards	J. Will McFarlin
W. B. Belknap	J. O. Evans	W. J. McMurry
C. W. Bennett	J. E. Hadden	J. W. Martin
S. A. Blackburn	W. R. Haselwood	E. D. Morris
Allen B. Cammack	L. J. Jeter	Chas. A. Nelson
Lee Clark	T. H. King	F. V. Nunnelly
F. W. Collings	T. J. Knight	J. J. Patterson
B. F. Day	I. T. Layman	J. E. Robbins
J. R. Dorman	Oscar Leibson	Geo. W. Smith
E. J. Doss	Leon P. Lewis	D. D. Thornberry
H. C. Duffy	Martin Light	
Wm. M. Duncan	J. T. Linton	—34

Those who voted in the negative were—

W. L. Agee	T. H. Baker	Homer Beliles
W. B. Ardery	A. J. Baldridge	J. E. Bickett

Wm. H. Bornhorst	D. C. Jones	Arthur Saunders
J. F. Bosworth	H. J. Kegley	G. W. Shadoan
W. J. Brandenburg	John H. Lawson	A. W. Stamper
R. J. Cain	Leroy Lewis	H. Q. Thompson
Sherman Chasteen	R. D. McMurtry	N. I. Toombs
Sam. Cole	J. L. Manning	M. E. Vaughan
L. F. Coomes	Harry Miller	C. D. Vincent
J. L. Cushing	G. W. Morgan	W. S. Wallen
O. C. Gartin	J. L. Morgan	E. C. Walker
J. W. Howard	Wm. J. Moore	W. D. Watkins
Hector Johnson	E. E. Palmore	C. Westerfield
J. Roy Johnson	V. H. Redwine	F. E. Wilson
A. J. Jolly	C. W. Ryans	

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Mr. Walker moved that the vote by which the House refused to table said amendment be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Said amendment was then adopted.

Ordered that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	J. E. Bickett	Sherman Chasteen
W. B. Ardery	Wm. H. Bornhorst	Sam Cole
A. J. Baldridge	J. F. Bosworth	L. F. Coomes
L. D. Bax	W. J. Brandenburg	J. L. Cushing
Homer Beliles	R. J. Cain	O. C. Gartin

J. W. Howard	Harry Miller	N. I. Toombs
Hector Johnson	J. L. Morgan	C. D. Vincent
A. J. Jolly	Wm. J. Moore	W. S. Wallen
D. C. Jones	V. H. Redwine	E. C. Walker
H. J. Kegley	C. W. Ryans	W. D. Watkins
Leroy Lewis	A. W. Stamper	C. Westerfield
J. L. Manning	H. Q. Thompson	F. E. Wilson
R. D. McMurtry	W. S. Tinsley	

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Those who voted in the negative were—

T. H. Baker	J. E. Hadden	E. D. Morris
J. H. Baughman	W. R. Haselwood	Chas. A. Nelson
W. B. Belknap	L. J. Jeter	F. V. Nunnelly
C. W. Bennett	J. Roy Johnson	E. E. Palmore
S. A. Blackburn	T. H. King	J. J. Patterson
Allen B. Cammack	T. J. Knight	G. L. Perryman
Lee Clark	John H. Lawson	J. E. Robbins
F. W. Collings	I. T. Layman	Arthur Saunders
B. F. Day	Oscar Leibson	G. W. Shadoan
J. R. Dorman	Leon P. Lewis	W. M. Simpson
E. J. Doss	Martin Light	Geo. W. Smith
H. C. Duffy	J. T. Linton	F. L. Strange
Wm. M. Duncan	J. Will McFarlin	D. D. Thornberry
D. E. Edwards	W. J. McMurry	
J. O. Evans	J. W. Martin	

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Mr. Walker moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Walker moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Walker moved that the House do now recess until two o'clock p. m.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION.

The hour of two o'clock p. m. having arrived, the Speaker resumed the chair and called the House to order.

At the instance of the Committee on Rules, the House took up for consideration from the orders of the day a bill entitled:

S. B. 49. An act establishing a road from a point on project 5 at or near Binghampton, a village near the northern city limits of Middlesboro, Kentucky, to a point on the Kentucky-Tennessee line, at or near Pruden, Tennessee, by way of the Stony Fork Branch of Yellow creek and Fonde, Kentucky, and designating said road project as project 5a.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established and created as a part of the primary system of state highways of the Commonwealth of Kentucky, a road to lead from a point on project No. 5 at or near Binghampton, a village near the northern city limits of Middlesboro, Kentucky, to a point on the Kentucky-Tennessee line, at or near Pruden, Tennessee, by way of Stony Fork Branch of Yellow creek and Fonde, Kentucky. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways.

§ 2. Said project shall be designated and known as project No. 5a.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	O. C. Gartin	E. D. Morris
T. H. Baker	T. H. Golden	Chas. A. Nelson
A. J. Baldridge	J. E. Hadden	F. V. Nunnelly
J. H. Baughman	W. R. Haselwood	E. E. Palmore
Homer Beliles	J. W. Howard	J. J. Patterson
C. W. Bennett	L. J. Jeter	G. L. Perryman
J. E. Bickett	Hector Johnson	H. A. Pulliam
S. A. Blackburn	J. Roy Johnson	V. H. Redwine
W. M. Boling	A. J. Jolly	J. L. Richardson
Wm. H. Bornhorst	D. C. Jones	J. E. Robbins
J. F. Bosworth	H. J. Kegley	Arthur Saunders
W. J. Brandenburg	T. H. King	Lee L. Simons
W. B. Bush	T. J. Knight	W. M. Simpson
Allen B. Cammack	John H. Lawson	Geo. W. Smith
R. J. Cain	I. T. Layman	A. W. Stamper
Sherman Chasteen	Leon P. Lewis	F. L. Strange
Sam Cole	Leroy Lewis	D. D. Thornberry
F. W. Collings	Martin Light	W. S. Tinsley
J. L. Cushing	J. T. Linton	N. I. Toombs
B. F. Day	J. Will McFarlin	M. E. Vaughan
J. R. Dorman	W. J. McMurry	C. D. Vincent
E. J. Doss	R. D. McMurtry	W. S. Wallen
G. L. Drury	J. L. Manning	E. C. Walker
H. C. Duffy	J. W. Martin	W. D. Watkins
Wm. M. Duncan	G. W. Morgan	C. Westerfield
D. E. Edwards	J. L. Morgan	F. E. Wilson
J. O. Evans	Wm. J. Moore	—80

Resolved that the title thereof be as aforesaid.

Mr. Walker moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the orders of the day a bill entitled:

H. H. 175. An act appropriating money to pay certain expenses authorized by the State Registration Board created by Act of the General Assembly of 1922, and which act was later declared invalid by the courts, but only after said expenses had been incurred in good faith and the word directed had been performed.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That upon the presentation of approved bills from the said Standard Printing Company for $30,312.74; the Bradley-Gilbert Company for $29,758.23; and the C. T. Dearing Printing Company for $29,905,38, said bills having the approval of the State Superintendent of Public Printing as being in accordance with the contract made by the said State Registration Board, the Auditor of Public Accounts be and he is hereby authorized to draw his warrants and the Treasurer to pay same in the manner provided by law for the payment of claims against the Commonwealth.

Mr. Bennett offered the following amendment to said bill, viz.:

Amend H. B. 175 by striking out figures "$30,312.74" in line 2, paragraph 1 of the printed bill and inserting in lieu thereof "$20,208.54," and by striking out the figures "29,758,-23" in line 3, paragraph 1 of the printed bill and inserting in lieu thereof "$19,838.82" and by striking out the figures

"$29,905.38" in line 3, paragraph 1 of the printed bill and inserting in lieu thereof $19,976.82."

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
S. A. Blackburn
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
J. R. Dorman
E. J. Doss
G. L. Drury
H. C. Duffy
Wm. M. Duncan
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
R. O. Huntsman
L. J. Jeter
A. J. Jolly
D. C. Jones
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. Will McFarlin
R. D. McMurtry
J. L. Manning
J. W. Martin
Harry Miller
G. W. Morgan
Wm. J. Moore
Chas. A. Nelson
F. V. Nunnelly
E. E. Palmore
G. L. Perryman
H. A. Pulliam
V. H. Redwine
J. L. Richardson
J. E. Robbins
C. W. Ryans
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
F. L. Strange
H. Q. Thompson
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
M. E. Vaughan
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

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Those who voted in the negative were—

A. J. Baldridge G. Givens Dixon J. L. Morgan
B. F. Day W. J. McMurry

—5

Resolved that the title thereof be as aforesaid.

Mr. Walker moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the orders of the day a bill entitled:

H. B. 123. An act to amend and re-enact sections 794 and 1166 of the Kentucky Statutes, John D. Carroll's edition, 1922, relating to shooting at or into railroad engines, cars and so forth.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 794 of the Kentucky Statutes, Jno. D. Carroll's edition, 1922, be and the same is hereby amended and re-enacted so as to read as follows, to-wit.:

"Section 794. Shooting or Throwing at or into Engine, Car, etc.; Penalty.—Any person who shall recklessly, wantonly or maliciously throw any stone, stick, club, or other missile at or into, or shoot at or into any engine of any railroad train in this state, or any car attached thereto, or any station, station platform or waiting room, on or in which engine, car, station, station platform or waiting room there may be any pas-

senger or other person, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred nor more than five hundred dollars, or imprisoned in the county jail not less than six nor more than twelve months. And if any such stone, stick, club or other missle so thrown or shot so fired was calculated to produce death or great bodily harm, and any person or passenger, on or in such engine, car attached thereto, station, station platform or waiting room, shall be injured or wounded, such person so throwing the same or shooting shall be deemed guilty of a felony and be fined in a sum not less than two hundred nor more than five hundred dollars and imprisoned in the penitentiary not less than one nor more than five years. And should death ensue from such throwing or shooting within one year thereafter, the person guilty of the same, as herein provided, shall be deemed guilty of murder."

§ 2. That section 1166 of the Kentucky Statutes, Jno. D. Carroll's edition, 1922, be and the same is hereby amended and re-enacted so as to read as follows, to-wit.:

"Section 1166, Maliciously Shooting, Stabbing or Poisoning; Deadly Weapon.—If any person shall wilfully and maliciously shoot at another without wounding (or shoot at or into any railroad passenger coach, station, station platform, waiting room, or steamboat occupied by any employe, passenger or other person or persons, or cast at or into the same a stone or other dangerous or deadly missile, or draw or present a pistol with intent to wilfully and maliciously shoot in or on a railway passenger coach, station, station platform, waiting room or steamboat occupied by any employe, passenger or other person or persons), or shoot at and wound anther with the intention to kill him, so he does not die thereby, or shall wound a person other than the person shot at, so that he does not die thereby, with a gun, or other instrument loaded with leaden bullet or other substance, or shall wilfully and maliciously cut, strike or stab another with a knife, sword or other deadly weapon with intention to kill, if the person so

stabbed, cut or bruised die not thereby, or shall wilfully and maliciously administer poison to another, if death do not ensue in consequence thereof, he, and any person who aided, counseled or advised or encouraged him, shall be confined in the penitentiary not less than one nor more than five years."

§ 3. All laws or parts of laws in conflict with the provisions of this act are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third tiome by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	B. F. Day	T. J. Knight
W. B. Ardery	J. R. Dorman	John H. Lawson
T. H. Baker	E. J. Doss	I. T. Layman
A. J. Baldridge	G. L. Drury	Oscar Leibson
J. H. Baughman	H. C. Duffy	Leon P. Lewis
Homer Beliles	Wm. M. Duncan	Leroy Lewis
C. W. Bennett	D. E. Edwards	Martin Light
J. E. Bickett	J. O. Evans	J. Will McFarlin
S. A. Blackburn	O. C. Gartin	W. J. McMurry
W. M. Boling	J. E. Hadden	R. D. McMurtry
J. F. Bosworth	W. R. Haselwood	J. W. Martin
W. J. Brandenburg	J. W. Howard	J. L. Morgan
Allen B. Cammack	R. O. Huntsman	Wm. J. Moore
R. J. Cain	L. J. Jeter	E. D. Morris
Lee Clark	J. Roy Johnson	Chas. A. Nelson
Sam Cole	Hector Johnson	E. E. Palmore
F. W. Collings	D. C. Jones	J. J. Patterson
L. F. Coomes	H. J. Kegley	H. A. Pulliam
J. L. Cushing	T. H. King	V. H. Redwine

J. L. Richardson	Geo. W. Smith	M. E. Vaughan
J. E. Robbins	A. W. Stamper	C. D. Vincent
C. W. Ryans	F. L. Strange	W. S. Wallen
Arthur Saunders	D. D. Thornberry	E. C. Walker
G. W. Shadoan	W. S. Tinsley	W. D. Watkins
W. M. Simpson	N. I. Toombs	C. Westerfield

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Resolved that the title thereof be as aforesaid.

Mr. Walker moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the orders of the day a bill entitled:

H. B. 237. An act relating to weights and measures.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. From and after the approval of this act the legal weight of a bushel of corn in shuck shall be 76 pounds.

§ 2. All acts in conflict with this act are hereby repealed.

Mr. McMurry offered the following amendment to said bill, viz.:

Amend H. B. 237 by striking out all of section 1 and inserting in lieu thereof the following:

Section 1. The standard weight of a bushel of ear corn in the shuck shall be seventy-five pounds avoirdupois.

Said amendment was adopted.

Ordered that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	T. H. Golden	E. E. Palmore
T. H. Baker	J. E. Hadden	J. J. Patterson
A. J. Baldridge	W. R. Haselwood	G. L. Perryman
J. H. Baughman	R. O. Huntsman	V. H. Redwine
L. D. Bax	J. Roy Johnson	J. L. Richardson
W. B. Belknap	A. J. Jolly	J. E. Robbins
C. W. Bennett	D. C. Jones	C. W. Ryans
J. E. Bickett	H. J. Kegley	Arthur Saunders
S. A. Blackburn	T. H. King	G. W. Shadoan
W. M. Boling	T. J. Knight	Lee L. Simons
Wm. H. Bornhorst	John H. Lawson	W. M. Simpson
J. F. Bosworth	I. T. Layman	Geo. W. Smith
Sherman Chasteen	Leon P. Lewis	A. W. Stamper
Lee Clark	Leroy Lewis	F. L. Strange
Sam Cole	Martin Light	D. D. Thornberry
F. W. Collings	J. T. Linton	W. S. Tinsley
L. F. Coomes	J. Will McFarlin	N. I. Toombs
J. L. Cushing	W. J. McMurry	M. E. Vaughan
J. R. Dorman	J. L. Manning	C. D. Vincent
E. J. Doss	Harry Miller	W. S. Wallen
H. C. Duffy	G. W. Morgan	E. C. Walker
Wm. M. Duncan	J. L. Morgan	W. D. Watkins
D. E. Edwards	E. D. Morris	C. Westerfield
J. O. Evans	Chas. A. Nelson	F. E. Wilson
O. C. Gartin	F. V. Nunnelly	—74

Those who voted in the negative were—

R. J. Cain	L. J. Jeter	J. W. Martin
B. F. Day	Hector Johnson	—5

Resolved, that the title thereof be as aforesaid.

Mr. Walker moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the orders of the day, a bill entitled:

H. B. 316. An act relating to banks and fixing the annual state rate on the shares of stock in national banks, state banks and trust companies, prescribing by whom and to whom the taxes shall be paid and limiting the local rates of taxation thereon for county, city, town and school purposes, and providing for the distribution of the fund derived from such taxation, repealing and re-enacting, as amended, section 4092 of Kentucky Statutes, Carroll's edition, 1915, providing for a referendum if desired, and repealing all laws or parts of laws in conflict herewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 4092 of the Kentucky Statutes, Carroll's edition, 1915, be and the same is hereby repealed and in lieu thereof that said section be re-enacted so as to read as follows:

(a) An annual tax of forty cents (40c) on each one hundred dollars of their fair cash value is hereby imposed upon the shares of stock of state banks and trust companies, incorporated under the laws of this Commonwealth, and of national banks doing business therein, and such tax shall be paid to the sheriff of the county annually by such banks and trust companies for and on behalf of the owners of such shares of

stock; such tax shall be for state purposes only, and in lieu of all other taxes upon said shares by the state, or any county, city, town or other taxing district.

(b) Except that the county in which said bank or trust company is located may impose a tax of not exceeding twenty cents (20c) on the one hundred dollars of fair cash value of such shares; and

(c) Except that the city or town in which said bank or trust company is located may impose a tax of not exceeding twenty cents (20 cents) on the one hundred dollars of fair cash value of such shares; and

(d) Except that a tax of not exceeding forty cents (40 cents) on the one hundred dollars of fair cash value of such shares may be imposed for school purposes by the regularly constituted authorities levying such tax or taxes in the district in which such bank or trust company is located: Provided, that when more than one levy is made for school purposes in the same year upon the same property, the said authorized levy, but not exceeding forty cents (40 cents) in the aggregate, shall be distributed between the said levies for school purposes in the proportion which the rate of each bears to the aggregate of all said rates.

§ 2. In the event a referendum is desired upon this act, then such referendum shall be conducted in all things in the manner provided by chapter eight of the Acts of the General Assembly of one thousand nine hundred and seventeen.

§ 3. If any provision of this act is held invalid, it shall not affect in any way the other provisions of the act, but they shall remain in full force and effect. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Nelson offered the following amendment to said bill, viz.:

Amend H. B. 316 by striking out in line 4, section 1, of printed bill, the words "forty cents (40 cents)" and inserting in lieu thereof the words "fifty cents (50 cents)."

Said amendment was adopted.

Mr. Doss offered the following amendment to said bill, viz.:

Amend H. B. 316 in section 1, line 14 by striking out the word "20 cents" and inserting in lieu thereof the figures "40 cents" and in line 17 by striking out the words and figures "20 cents" and inserting in lieu thereof the words "40 cents."

Said amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Strange and King, were as follows, viz.:

Those who voted in the affirmative were—

C. W. Bennett	John H. Lawson	W. M. Simpson
Lee Clark	I. T. Layman	F. L. Strange
E. J. Doss	J. Will McFarlin	W. S. Tinsley
Wm. M. Duncan	G. L. Perryman	
W. R. Haselwood	J. E. Robbins	

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Those who voted in the negative were—

W. L. Agee	R. J. Cain	J. E. Hadden
W. B. Ardery	Sherman Chasteen	J. W. Howard
T. H. Baker	Sam Cole	R. O. Huntsman
A. J. Baldridge	F. W. Collings	L. J. Jeter
J. H. Baughman	L. F. Coomes	Hector Johnson
L. D. Bax	J. L. Cushing	J. Roy Johnson
W. B. Belknap	B. F. Day	A. J. Jolly
J. E. Bickett	J. R. Dorman	D. C. Jones
S. A. Blackburn	G. L. Drury	H. J. Kegley
W. M. Boling	H. C. Duffy	T. H. King
Wm. H. Bornhorst	D. E. Edwards	T. J. Knight
J. F. Bosworth	J. O. Evans	Oscar Leibson
W. B. Bush	O. C. Gartin	Leon P. Lewis
Allen B. Cammack	T. H. Golden	Leroy Lewis

Martin Light	E. D. Morris	A. W. Stamper
J. T. Linton	Chas. A. Nelson	D. D. Thornberry
W. J. McMurry	F. V. Nunnelly	N. I. Toombs
R. D. McMurtry	J. J. Patterson	M. E. Vaughan
J. L. Manning	V. H. Redwine	C. D. Vincent
J. W. Martin	J. L. Richardson	W. S. Wallen
Harry Miller	Arthur Saunders	E. C. Walker
G. W. Morgan	G. W. Shadoan	W. D. Watkins
J. L. Morgan	Lee L. Simons	C. Westerfield
Wm. J. Moore	Geo. W. Smith	

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Mr. Walker moved that the vote by which said amendment was disagreed to be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	W. M. Boling	J. L. Cushing
W. B. Ardery	Wm. H. Bornhorst	B. F. Day
T. H. Baker	J. F. Bosworth	J. R. Dorman
A. J. Baldridge	W. B. Bush	G. L. Drury
J. H. Baughman	Allen B. Cammack	H. C. Duffy
L. D. Bax	R. J. Cain	Wm. M. Duncan
W. B. Belknap	Sherman Chasteen	D. E. Edwards
C. W. Bennett	Lee Clark	J. O. Evans
J. E. Bickett	Sam Cole	O. C. Gartin
S. A. Blackburn	L. F. Coomes	T. H. Golden

J. E. Hadden	J. Will McFarlin	C. W. Ryans
J. W. Howard	W. J. McMurry	Arthur Saunders
R. O. Huntsman	R. D. McMurtry	G. W. Shadoan
L. J. Jeter	J. L. Manning	Lee L. Simons
Hector Johnson	J. W. Martin	W. M. Simpson
J. Roy Johnson	Harry Miller	Geo. W. Smith
D. C. Jones	G. W. Morgan	A. W. Stamper
H. J. Kegley	J. L. Morgan	F. L. Strange
T. H. King	Wm. J. Moore	D. D. Thornberry
T. J. Knight	E. D. Morris	W. S. Tinsley
I. T. Layman	Chas. A. Nelson	N. I. Toombs
Oscar Leibson	F. V. Nunnelly	W. S. Wallen
Leon P. Lewis	E. E. Palmore	E. C. Walker
Leroy Lewis	J. J. Patterson	W. D. Watkins
Martin Light	V. H. Redwine	C. Westerfield
J. T. Linton	J. L. Richardson	F. E. Wilson

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Those who voted in the negative were—

E. J. Doss J. E. Robbins —2

Resolved that the title thereof be as aforesaid.

Mr. Walker moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration a resolution which originated in the Senate of the following title, viz.:

Concurrent resolution accepting and setting a date for the invitation of F. M. Woods, Principal of the Kentucky Industrial and Normal Institution.

Said resolution is as follows, viz.:

(For resolution see Journal of today.)

Said resolution was concurred in.

Thereupon the Speaker appointed Mr. Walker as a committee to act in conjunction with a like committee on the part of the Senate to confer with Principal Woods and arrange a date for said entertainment.

At the instance of the Committee on Rules, the House took up for consideration from the orders of the day a bill entitled:

H. B. 338. An act to increase the compensation of the clerical assistants of the Judges and of each Commissioner of the Court of Appeals and for that purpose to amend section 962a of the Kentucky Statutes, edition of John D. Carroll of 1915.

With a committee amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 962a of the Kentucky Statutes, edition of John D. Carroll of 1915, be amended so that the same shall read as follows:

Section 962a. The judges of the Court of Appeals are hereby empowered to employ clerical assistance for each of said judges and for each Commissioner of Appeals, and fix the compensation to be paid such assistants. Such compensation shall be paid monthly out of the treasury upon the warrant of the Auditor of Public Accounts, which shall be issued upon the certificate of the Chief Justice; and the compensation of such assistants shall not exceed for each assistant two hundred dollars per month. Such assistants shall be subject to removal at the pleasure of said judges and shall not practice

law or accept any employment or render any services as attorney or counsellor-at-law in the Court of Appeals.

Said amendment is as follows, viz.:

Amend H. B. 338 in line 10, after the word "assistant" by striking out the words "two hundred" and substituting the words "one hundred and fifty."

Said amendment as offered by the committee was then agreed to.

Ordered that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	J. L. Cushing	John H. Lawson
W. B. Ardery	E. J. Doss	Leon P. Lewis
T. H. Baker	G. L. Drury	Leroy Lewis
A. J. Baldridge	Wm. M. Duncan	Martin Light
L. D. Bax	O. C. Gartin	W. J. McMurry
W. B. Belknap	T. H. Golden	J. L. Manning
J. E. Bickett	J. E. Hadden	Harry Miller
W. M. Boling	W. R. Haselwood	G. W. Morgan
Wm. H. Bornhorst	J. W. Howard	J. L. Morgan
J. F. Bosworth	R. O. Huntsman	Wm. J. Moore
W. J. Brandenburg	L. J. Jeter	F. V. Nunnelly
W. B. Bush	Hector Johnson	E. E. Palmore
R. J. Cain	A. J. Jolly	J. J. Patterson
Sherman Chasteen	D. C. Jones	G. L. Perryman
Sam Cole	H. J. Kegley	V. H. Redwine
F. W. Collings	T. J. Knight	J. L. Richardson

J. E. Robbins	A. W. Stamper	C. D. Vincent
Arthur Saunders	F. L. Strange	W. S. Wallen
G. W. Shadoan	D. D. Thornberry	E. C. Walker
Lee L. Simons	W. S. Tinsley	C. Westerfield
W. M. Simpson	N. I. Toombs	F. E. Wilson
Geo. W. Smith	M. E. Vaughan	

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Those who voted in the negative were—

C. W. Bennett	H. C. Duffy	E. D. Morris
Allen B. Cammack	I. T. Layman	Chas. A. Nelson
Lee Clark	J. Will McFarlin	
B. F. Day	J. W. Martin	—10

Resolved that the title thereof be as aforesaid.

Mr. Walker moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Walker moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, MARCH 7, 1924.

The House was opened with prayer by the Reverend Chesterfield Turner, of the First Baptist church, of Frankfort.

The roll was called and the following members answered to their names, viz.:

W. L. Agee	T. H. Baker	J. H. Baughman
W. B. Ardery	A. J. Baldridge	L. D. Bax

Homer Beliles
C. W. Bennett
J. E. Bickett
S. A. Blackburn
W. M. Boling
Wm. H. Bornhorst
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
J. G. Campbell
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
H. C. Duffy
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
R. O. Huntsman
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
D. C. Jones
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
J. Will McFarlin
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
E. E. Palmore
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. F. Reed
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
F. L. Strange
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
M. E. Vaughan
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield

The reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Drury moved that Miss Benita Boling be made honorary page of the House for the session without pay.

Said motion was agreed to.

Mr. Howard moved that when the House adjourn today, it adjourn to meet on Monday, March 10, at one o'clock p. m.

Said motion was agreed to.

Mr. Howard moved that the vote by which the House agreed that when they adjourn today, they adjourn to meet on Monday, March 10, at one o'clock p. m. be reconsidered and that motion lie on the table.

Said last named motion was agreed to.

Mr. Howard, of the Committee on Rules, reported bills of the following titles, viz.:

S. B. 134. An act to permit mutual fire or windstorm insurance companies and cooperative and assessment fire or windstorm insurance companies organized under the laws of the state of Kentucky to make re-insurance treaties or re-insurance contracts, and to cede to or accept from other insurance companies or other insurers insurance or re-insurance.

S. B. 82. An act to assist disabled men and women in obtaining from the federal government the relief authorized by acts of Congress, continuing in existence for that purpose the Kentucky Disabled Men's Board, and appropriating funds therefor; providing maintenance of an office and stenographic help to carry on work of said board, and declaring an emergency to exist.

H. B. 444. An act relating to public health; amending, revising and re-enacting chapter 111 of Acts of General Assembly of 1912; being section 4711b of Kentucky Statutes, Carroll's 1915 edition, and also amending, revising and re-enacting section 4 of chapter 65 of the Acts of the General Assembly of 1918, being an act entitled an act relating to public health.

With the expression of opinion that said bills ought to pass.

Said bills were read at length the first time and ordered to be placed on the Calendar.

Mr. Golden, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills and a resolution of the following titles, viz.:

S. Res. 5. For the benefit of Charley Wells, Bernard Wells and Eldridge Wells, of Johnson county, Kentucky, to reimburse each of these parties for services rendered the Commonwealth in 1910.

S. B. 128. An act to amend section 4356t-5, Kentucky Statutes, relating to public roads, project 29 of the primary road system.

S. B. 46. An act to regulate the issue and redemption of script or other evidence of debt. In order to prohibit the graft from workmen's wages for advancement before pay day.

S. B. 43. An act to provide for the appointment of special judges extraordinary to preside over the circuit courts in this Commonwealth, fixing their compensation and define the conditions under which they may be appointed, and the jurisdiction which they may exercise. This act is to be known as section 971-7, Kentucky Statutes.

S. B. 71. An act entitled an act relating to the general administration and supervision of the common schools of the Commonwealth of Kentucky and the office of Superintendent of Public Instruction, repealing certain sections and subsections of Carroll's 1918 edition, Kentucky Statutes, and chapter 71, Acts of 1920, relating to the salary of Superintendent of Public Instruction, office supplies and clerical forces, and enacting and re-enacting in lieu thereof certain sections and subsections relating to the election of Superintendent of Pub-

lic Instruction, his bond, his salary, his powers, duties, responsibilities and privileges, and the reorganization of the State Department of Education, as set forth in the enacting clause hereof.

S. B. 13. An act entitled an act to repeal an act entitled, "An act to create a city planning commission, with power to make a survey and plan of the city and of land contiguous or related thereto to provide for the regulation of the height, area and use of buildings and for zoning of city and with power to approve the recording of plots and subdivisions of land.

H. B. 37. An act to provide for the execution and sale of seventy-five million dollars ($75,000,000) of bonds of the Commonwealth, fixing the time when they shall be sold and the use of the proceeds thereof, and providing for the payment of the principal and interest upon said bonds to the end that they may be extinguished within thirty years, and providing for the submission of this act to the voters of the general election to be held on November 4, 1924.

H. B. 417. An act to repeal and re-enact sections 1, 2 and 3 respectively of chapter 17 of the Acts of the General Assembly of 1920, approved on March 16, 1920, and which will be found published in the Session Acts of 1922, beginning on page 76 thereof, all relating to roads and bridges and the Department of State Roads and Highways.

Thereupon all other business was suspended and said bills were severally read at length and compared in open session and found to be correctly enrolled. Thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered, that said Senate Resolution and Senate Bills be delivered to the Enrolling Clerk of the Senate.

Ordered, that the Enrolling Clerk of the House deliver said House Bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copy of said House Bills, duly signed by the President of the Senate, into the possession of the Chief Clerk.

Ordered, that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

S. B. 171. An act to amend an act entitled, "An act to amend the school laws of cities of the first class," approved March 15, 1912.

S. B. 132. An act to promote safety for the lives of persons working in the mines of this Commonwealth.

S. B. 372. An act to provide for a system for the licensing of teachers, supervisors, principals and superintendents in the public schools of this Commonwealth, and to more clearly define standards upon which such licenses are based and to define the duties of the State Board of Education, the Superintendent of Public Instruction, and the State Board of Examiners in connection with the examination of teachers for such licenses and the issuance, renewal, extension or validation of licenses for teachers, supervisors, principals and superintendents of schools of this Commonwealth and to expressly repeal sections 4369b-2, 4369b-4, 4386, 4501a-1, 4501a-2, 4501a-3, 4501a-4, 4501a-5, 4501a-6, 4501a-7, 4501a-8,

4503a-1, 4535a-32, and 4636a-14, Carroll's Kentucky Statutes, 1922 edition.

S. B. 52. An act to require, in cities of the first class of this Commonwealth the proper construction, use and maintenance of scaffolding, counterfloors, staging, rigging, etc., in all construction work, providing for the punishment for the violation of same, for the appointment of a Chief Safety Inspector of scaffolding and counterfloors in construction work, and a deputy inspector in cities of the first class, prescribing the duties of said Safety Inspector of scaffolding and counterfloors in construction work, and repealing all laws inconsistent therewith.

Ordered, that said bills be printed and referred to Committee on Rules.

And that they had passed a bill which originated in this House entitled:

H. B. 332. An act to repeal sections 1 to 10, inclusive, of an act entitled, "An act to further regulate the Bureau of Agriculture, Labor and Statistics," approved March 17, 1902, as amended by an act entitled, "An act to amend an act entitled, 'An act to further regulate the Bureau of Agriculture, Labor and Statistics,' approved March 17, 1902, and being section 33-a of the Kentucky Statutes," which was approved March 15, 1912, and being section 33a of the Kentucky Statutes, Carroll's edition of 1922; and providing in lieu thereof for the reorganization of the Department of Labor under the Bureau of Agriculture, Labor and Statistics, including personnel, their salaries, qualifications, duties and penalties for interference, and providing for an appropriation with which to carry out the objects of this act.

Ordered, that said bill be delivered to the Enrolling Clerk.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 254. An act relating to registration for elections in cities and towns having a population of five thousand inhabitants or more.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every citizen of the United States, not otherwise disqualified by the laws of this Commonwealth, who is twenty-one years of age, or will become twenty-one years of age on or before the next regular election to be held in November or on or before the date of any special election, who will have been a resident of the State of Kentucky one year, and of the county six months, and of the precinct in which he or she offers to vote, sixty days next preceding such election. and who has been registered as provided by this act, and who is otherwise qualified, shall be entitled to vote for all officers elective by the people and on all measures or questions submitted for determination by the voters at any regular or special election.

§ 2. It shall be the duty of the Board of Election Commissioners of each county in which is located a city or town having a population of five thousand inhabitants or more, not later than the 20th day of August, 1924, and annually thereafter, to appoint for each registration precinct in said city or town two judges, one clerk and one sheriff of registration to act as such in their precincts, all of whom shall hold their offices for one year, or until their successors are oppointed and qualified. The county executive committee of the two political parties having representation on the State Board and County Boards of Election Commissioners may, on or

before the 15th day of August, 1924, and annually thereafter, designate in writing for each precinct a list of not less than four names, to the County Board of Election Commissioners and from these names, if any are so designated, the officers of registration shall, within five days, be appointed from said lists as follows: One judge at each voting place shall be selected from each of said lists, and in like manner the sheriff shall be chosen from one of said lists, and the clerk from the other, and sheriffs and clerks shall be appointed alternatively so that each of such political parties shall have in each city or county as near an equal number of sheriffs and clerks as is possible. If no lists are submitted to said County Board of Election Commissioners, then the officers of registration shall be so selected and appointed as that one of the judges at each place of registration shall be of one such political party and the other judge of the other such palitical party, and there shall be a like difference at each registration place between the sheriff and clerk of registration. No person shall be eligible as an officer of registration who has committed a homicide, or who has been convicted of a felony or is under indictment therefor, or who is not sober, temperate, discreet and of good demeanor, or who has anything of value wagered on the result of the next election, or who is a candidate to be voted for at the next election, and who is not capable of reading the Constitution of the Commonwealth of Kentucky in English, and of writing a plain hand. It shall be the duty of said County Board of Election Commissioners to determine the qualification of all registration officers before appointment. The County Board of Election Commissioners shall have the power to remove all registration officers who are disqualified under the provisions of this act, but no such removal shall be made within five days of any registration day, nor shall any such removal be made at any time without cause, and the grounds shall be reduced to writing by said board and made a part of its records. If a vacancy shall occur by removal or otherwise, it shall be filled by the County

Board of Election Commissioners from the list already submitted, if any, from which the officer was selected, and in conformity with the provisions of this act. The County Board of Election Commissioners shall give due notice of said appointment of registration officers to the sheriff of the county who shall, within five days next after said appointments, give each officer of registration written notice of his appointment. If there shall be two or more contending executive committees of the same political party in the county, then that executive committee which is recognized by the State Central Committee of such party, by the written certificate of the chairman thereof, shall be recognized by the County Board of Election Commissioners in making the appointment of registration officers.

Should the County Board of Election Commissioners fail to appoint such officers of registration, or if any of such officers fail to attend for thirty minutes after the time for commencing the registration, or refuses to act, the officer in attendance representing the same political party of the absentee shall appoint a suitable person to act in his stead for that registration; or if both representatives of the same political party are absent, the qualified voters present affiliating with the party of said two absentees shall elect, viva voce, suitable persons to act in their stead. Each officer of registration shall, before entering upon the duties of his office, take an oath faithfully to discharge his duties as such officer before some person authorized to administer an oath, or if no such officer be present it may be administered by the clerk of the registration, who shall in turn be sworn by one of the judges of registration. The acceptance of any office, either elective or appointive, or becoming a candidate for any elective office, by any such officer during his or her term of office as registration officer, shall, ipso facto, vacate the said office.

§ 3. If, in the opinion of the County Executive Committee of a political party entitled to submit a list of names to the County Board of Election Commissioners, for ap-

pointment as officers of registration as herein provided, there are no persons in a given precinct who are qualified to act as officers of registration, representing such political party, such County Executive Committee shall have the right to submit to the County Board of Election Commissioners a list of names of four persons who are non-residents of such precinct, but residents of the city or county in which such precinct is located, and the two officers of registration, to which the political party sending in such list is entitled, in such precinct, shall be appointed from such list. Such lists shall be sent in at the same time but separate from the other lists herein provided for. Provided: that if any political party, entitled to submit a list of registration officers, as herein provided, received twenty-five per cent of the votes cast in any precinct at the preceding general election, such political party shall submit the names of residents of such precinct for appointment as registration officers in such precinct; and, provided further, that the judgment of such County Executive Committee as to whether there are persons resident of any precinct, in which the political party represented by such committee failed to receive twenty-five per cent of the votes cast at the preceding general election, qualified to act as officers of registration shall be binding on the County Board of Election Commissioners.

§ 4. Officers of registration, who are qualified, shall be eligible to appointment as officers of election but so much of section 1487, Kentucky Statutes, edition of 1915, as provides that the officers of election shall be the officers of registration, is hereby repealed.

§ 5. Each political party having representation on the State Board and County Boards of Election Commissioners shall have the right to appoint one challenger in each precinct by certifying the name of such challenger to the officers of registration of the precinct and it shall be the duty of such officers to permit such challenger to remain in the place where

the registration is being conducted for the purpose of challenging the right of any person to register.

§ 6. Officers of registration shall have the same power to preserve order at the place of registration as is exercised by sheriffs of election at the polls. Said officers shall register every citizen of the United States of his or her precinct, who shall apply to be registered, at the time and in the manner required by law, who is legally qualified to vote at the next election after such registration. Every person so applying to be registered shall be required to sign his or her full name upon the registration book of his or her respective precinct in his or her own handwriting, which signature shall be attested by the clerk and sheriff of said precinct and there shall also be entered on said book in proper place provided therefor the name of such person applying, sex, the address of such person, his or her party affiliation, his or her occupation, if any, at the time of such registration, the color or race of such person, his or her apparent weight and apparent height and other means of identification, and the date of registration. The clerk of the election shall indicate at the bottom of the form when such person voted at an election or primary.

In the event any person applying to register shall state upon oath that he or she cannot write his or her name as above provided the clerk shall sign the registration book for such person, and shall note thereon that same was done at the request of the person so registered and upon oath that such person could not write. Any officer or challenger of a primary or general election may require any person to write his or her name for comparison with such person's signature.

If the officers of registration, or any challenger, entertain any doubt as to whether or not any person offering for registration is entitled to such registration, or if any one's right to register is challenged, citizens may be called in, not exceeding three in number, who shall be examined touching the qualifications of such person or persons who offer to reg-

ister. In making the registration the clerk shall act as the recording officer, and the judges shall decide all questions relating to the qualifications of persons offering to be registered, except that in case of a difference of opinion between the judges the clerk shall have the deciding vote.

It shall be the duty of the sheriff of each county to furnish a suitable and convenient place in each precinct for such registration.

It shall be the duty of the officers of registration in each precinct to return the registration books and all paraphernalia to the county court clerk of the county in which the registration is held, not later than three days after the holding of said registration, and said county court clerk shall make an exact copy of said registration books, both the original and copies to be preserved in his office and upon each primary, special or general election the original registration books shall be turned over by the clerk of the county court to the regularly appointed clerk of elections of each respective precinct for their use in holding said election.

§ 7. The Secretary of the State of Kentucky and the chairman of the executive committee of each of the two political parties having representation on the State Board and County Boards of Election Commissioners shall constitute and compose a board to prepare proper blanks, forms and books for the registration of voters as herein provided. It shall be the duty of said committee or board to have said blanks, forms and books properly prepared on or before the 25th day of August, 1924, by which date the necessary blanks, forms and books shall be in the hands of the county court clerk of each county in the state for distribution to the officers of registration in each precinct of the state. Said blanks forms and books shall be printed, prepared and furnished as other books are now printed and prepared for the Commonwealth. Said blanks, forms and books shall be paid for by each county out of the county treasury, as is now provided by law for the payment of any and all other blanks, forms

and books furnished each county by the State of Kentucky. Said book shall be so arranged as that the names of voters may be registered alphabetically and the form of registration for each voter shall be as near in form as follows:

FORM OF REGISTRATION OF VOTERS.

Date of Registration .....
Name of Voter .....
Address .....
(Number (Street) (City, town or postoffice)
Term of Residence: State.....County.....Precinct.....
Color ..... Occupation .....
Party Affiliation ..... Sex .....
Apparent Weight .....
Apparent Height .....
Other Means of Identification .....
Signature of Voter .....
Attest:
Clerk .....
Sheriff .....
(Clerk of election will indicate below when above person votes)
.....
.....

§ 8. Each officer of registration shall receive as compensation the sum of two dollars per day for each day they are required to register voters, to be paid out of the county treasury.

§ 9. The registration officers in each election precinct of this Commonwealth shall on the second Monday in September, 1924, proceed to register the qualified voters in each precinct, as provided herein, and such registration officers shall, beginning on the second Monday in September, in the year 1924, sit for two consecutive days between the hours of six a. m. and seven p. m. for the purpose of registering the qualified voters in each precinct, as herein provided.

Annually thereafter such officers of registration shall sit in each precinct on the second Monday in September, between the hours of six a. m. and seven p. m., for the purpose of permitting all qualified persons who have not previously registered, to do so.

§ 10. Thirty days preceding the August primary election in each year, including the year 1924, the County Board of Election Commissioners in each county, where registration is required under this act, shall appoint four qualified voters of each city or town as special officers of registration for such city or town. The county executive committee of the two political parties having representation on the State and County Boards of Election Commissioners may, on or before forty days before the August primary in each year, designate in writing a list of four names to the County Board of Election Commissioners and from these names, if any are so designated, the special officers of registration shall be selected from said lists as follows: One judge shall be selected from each of said lists and in like manner the sheriff shall be chosen from one of said lists and the clerk from the other. If no lists are submitted to said County Board of Election Commissioners then the special officers of registration shall be so selected and appointed as that one of the judges shall be of one political party and the other judge of a different political party, and there shall be a like difference between the sheriff and clerk of registration. Said special officers of registration shall have the same qualifications as regular officers of registration, shall receive the same compensation, and shall hold their office for one year, or until their successors are appointed and qualified. Said special officers of registration shall be notified of their appointment in the same manner as officers of registration are required to be notified.

Commencing on the fourteenth day preceding the August primary election in each year such special officers of registration shall sit for one day, in each county in this state, between the hours of 6 a. m. and 7 p. m. at the court house, in

a room provided by the county court clerk, for the purpose of registering all persons who will be legally qualified to vote at the next August primary election and who failed to register at the preceding September registration. At such special registration the following persons and no others shall be entitled to register:

1. Any person who was absent from the county of his or her residence during the entire time of the September registration for that year.

2. Any person who was prevented from registering by reason of his or her own sickness or by death in his or her immediate family.

3. Any person who moved into the precinct of his or her present residence after the September registration for that year.

4. Persons who have become of age since the last election and have the qualifications of electors.

No persons shall be entitled to register at such registration unless they have the qualifications of voters in the precincts in which they reside. Before registering any person under this section the special officers of registration shall require such peron to make written oath as to the cause of his or her failure to attend the last September registration. All affidavits provided for under this section shall be kept in a bound book made for that purpose. The names of all persons entitled to register, as provided in this section, shall be recorded by the clerk of registration in the regular registration book for the precinct in which such person resides. The right of any person to register shall be determined by the special officers of registration in the following manner: The judges of such registration shall have the right to determine such qualifications and in case they disagree then in the first case the clerk of registration shall cast the deciding vote and in the next succeeding case, in case of disagreement of the judges, the sheriff of registration shall cast the deciding vote and so during such entire registration the clerk and sheriff

shall alternate in casting the deciding vote when the judges are unable to agree.

§ 11. Commencing on the first Tuesday in October of each year such special officers of registration shall sit for two successive days in each county in this state, between the hours of 6 a. m. and 7 p. m., at the court house, in a room provided by the county court clerk, for the purpose of registering all persons who will be legally qualified to vote at the November election and who failed to register at the preceding September registration. At such special registration the following persons and no others shall be entitled to register:

1. Any person who was absent from the county of his or her residence during the entire time of the September registration for that year.

2. Any person who was prevented from registering by reason of his or her own sickness or by death in his or her immediate family.

No person shall be entitled to register at such registration unless they have the qualifications of voters in the precincts in which they reside. Before registering any person under this section the special officers of registration shall require such person to make written oath as to the cause of his or her failure to attend the last September registration. All affidavits provided for under this section shall be kept in a bound book made for that purpose. The names of all persons entitled to register, as provided in this section, shall be recorded by the clerk of registration in the regular registration book for the precinct in which such person resides. The right of any person to register shall be determined by the special officers of registration in the following manner: The judges of such registration shall have the right to determine such qualification and in case they disagree then in the first case the clerk of registration shall cast the deciding vote, and in the next succeeding case, in case of disagreement of the judges the sheriff of election shall cast the deciding vote, and so on during such entire registration the clerk and

sheriff shall alternate in casting the deciding vote when the judges are unable to agree. Except in counties containing a population of more than 200,000 inhabitants, the County Board of Election Commissioners shall appoint twelve qualified voters of such county, which shall compose three sets of registration officers, to be selected in the same manner from lists submitted by the County Executive Committee of the two political parties aforesaid.

§ 12. In each case where a special election is to be held in any county, city, town or subdivision thereof, either for the purpose of filling an elective office or the determination of any measure or question submitted to the voters, the special officers of registration, provided for in section 10 hereof shall, fourteen days before such election, sit for one day, at the court house, in a room provided by the county court clerk for that purpose, between the hours of 6 a. m. and 7 p. m. for the purpose of permitting all persons who have not previously been registered, as herein provided, and who are entitled to register, to do so. No person shall be entitled to register at such special registration except under the requirements stated in section 10 hereof, and the same procedure shall be observed as provided in section 10 hereof. Provided, that in addition to the class of persons entitled to register, as specified in section 10 hereof, any person, not previously registered and who is qualified to register, who became of age after the last preceding November election, shall be entitled to register.

§ 13. Any otherwise qualified voter being an officer or employe of the United States or of the Commonwealth of Kentucky, or traveling salesman, may appear before the county court clerk of the county of his residence on the day immediately preceding or on the day of any general or special election, and upon making oath to the effect that he was absent from his place of residence on all general or special registration days during the current year, and that his absence was due to or by reason of duties pertaining to such

office, or business, the clerk shall register said voter, and when so registered the voter shall have the right to vote in all elections until the next succeeding general registration.

§ 14. Whenever a registered voter changes his or her place of residence from one election precinct to another in the same city or town, or wherever the boundaries of the precinct are changed by law, it shall be lawful for such person to apply in person for a new registration at the regular place of registration held in the precinct on the regular days of registation and at any special or supplemental days of registration held at the court house in the county, as hereinbefore provided, and it shall be the duty of the officers of registration to proceed to register such persons in such precincts as heretofore provided for. Such person shall at the same time and before the same officers of registration sign a certificate of cancellation in a separate book provided therefor by the county court clerk, giving the place of residence of his previous registration and the year that said registration took place, directing the county court clerk to cancel his name from the registration book in which he was previously registered.

Such book of registration shall be returned to the county court clerk with the regular registration book and other paraphernalia. The county court clerk shall within fifteen days thereafter caused to be cancelled the names of such persons in the precinct of their previous registration by stamping across the face thereof with a stencil not less than three inches square and attested by the clerk.

Any registered vote may change his party affiliation on the regular days of registration by appearing in person before the officers of registration of the precinct in which they are registered.

The county court clerk of each county shall keep a book arranged alphabetically showing the names of the voters who have changed their voting precincts, showing the precinct removed from, the precinct removed to and the date of such transfer.

§ 15. Any person who shall disturb, intimidate, abuse or by force or other unlawful means hinder, delay or disturb or attempt to hinder, delay or disturb, any officer of registration, while performing his or her official duties, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars.

§ 16. Any officer of registration who shall wilfully fail to perform his or her duty, as set forth in this act, shall be guilty of a misdemeanor, and upon conviction be fined not less than ten dollars nor more than one hundred dollars.

§ 17. When the county executive committee for any city or county of either of the political parties having representation on the state board and county boards of election commissioners shall desire it, the county board of election commissioners shall appoint two officers for any precinct, whose duty it shall be to purge the registration list in that precinct, and these officers need not reside in the precinct for which they act. If the city or county committee of either of such political parties shall desire to have the registration purged in any precinct, such committee shall file a request in writing with the county board of election commissioners not later than the 25th day of September in any year. In filing such request, such committee shall give the name and address of each voter whose name it challenges. When such request shall have been filed, it shall be the duty of the county board of election commissioners, not later than the first day of October, to appoint two officers as aforesaid, one from each of the political parties having representation on the state board and county boards of election commissioners. These appointments shall be made from a list of four names submitted to the county board of election commissioners by the said governing authority of each of such political parties, and when so appointed the two officers shall be sworn to faithfully discharge their duty. The list of challenged voters shall be turned over to these two officers, and they shall meet in the precinct for which they are to act, at some place designated

and provided by the sheriff. Their first meeting shall be held in said precinct on Tuesday after the first Monday in October, and they may summon and swear witnesses. Each voter who has been challenged shall be notified of the time and place of meeting by a written notice addressed to the voter at the residence given on the registration books, and this notice shall be prepared and mailed by the county court clerk at least five days before the day of hearing. The notice shall require the voter to appear before the two officers mentioned therein. After investigation and hearing such evidence as may be presented these officers shall determine whether the voter was properly and legally registered. If they find that he or she was not, his or her name shall be stricken from the registration books by said officers. If they find that he or she was properly and legally registered, nothing further shall be done with said name. The registration books for the precinct shall be turned over to these officers when they are to hold their meetings and upon the conclusion of their meetings the registration books shall be returned to the county court clerk. In the event the two officers engaged in purging registration books in cities of the first class shall disagree as to whether any names shall be stricken from the books, they or either of them, shall reduce to writing the facts as developed and certify such statement of facts to the clerk of the circuit court, who shall forthwith assign the case of each such voter challenged to the circuit judge of such county, and wherever there are two or more circuit judges in any county the cases shall be equally divided among said judges, who shall immediately hear the cases de novo. The circuit clerk, upon receipt of such certification by the said officers, shall immediately issue a notice addressed to the voter to appear before the circuit judge to whom the case is assigned not later than three days after the service of such notice, which notice shall be served by the sheriff of the county, or by any officer authorized to serve subpoenas, or by any person authorized by law to serve notices. Such notices may be served by delivering a copy of

it to the person to whom directed, or by offering to deliver it to him; or, if he cannot be found at his place of residence as shown by the registration book, by leaving a copy there with a person over the age of sixteen years, residing in the same family with him; or, if no such person there, by affixing such copy to the front door of such place of residence, and the person who serves such notice must make an indorsement on the notice stating when and how it was served; and, if a copy of it be not delivered to the person to whom it is directed, the indorsement must state the fact authorizing the manner of service pursued and if the person who serves the notice be an officer, his indorsement must show his official position; if he be not an officer, he must make an affidavit that his indorsement is true, that he is over sixteen years of age, and that he is not a party to, nor interested in the proceeding. Such indorsement of an officer, and such indorsement and affidavit of one who is not an officer shall be proof of the service. Such officer or person authorized to serve the notice shall make a return within three days after the receipt of such notice. The circuit clerk shall be allowed for each case the sum of fifty cents, to be paid by the fiscal court out of the county treasury. If the circuit judge decides that the name should be stricken from the registration books, he shall certify to the county court clerk to strike such name off of the books, and if he decides that the voter is properly and legally registered, he shall certify the county court clerk that said registration is valid. The two officers in charge of purging the registration may meet from time to time until the second Tuesday in October, but not later, and they shall receive for their services the same compensation as registration officers.

Any voter aggrieved by the decision of the two officers appointed to purge the registration may appeal to the circuit judge by filing his affidavit stating that his name has been stricken from the registration book and that he appeals from said order, and the circuit clerk shall docket his case in the

same manner as in the case of a disagreement between the purging officers.

§ 18. In any county not having therein a city of the first class, where registration is required, any voter may be given five days' notice, in writing, to any person whose name has been registered, move the county court to strike his name from the register, and both parties may introduce witnesses, not exceeding two in number, on each side. Said notice must be served personally. If, at the hearing, the court shall be of the opinion that the person registered is not lawfully entitled to register, it shall direct the clerk to strike his name from the register, by inserting opposite to it the words: "Stricken off by order of the county court." If the person upon whom notice is attempted to be served can not be found, the clerk shall write opposite such name, on the registration book, the word "doubtful," and when at an election, such person, whose name is marked "doubtful," shall offer to vote, he shall be sworn, and his right to vote investigated fully.

§ 19. It shall be the duty of the county court clerk to keep the registration books safely in his office and not to suffer same to be taken therefrom, except the registration books may be taken as provided herein from his office, or on the order of any court for the purpose of using them in any trial or proceeding. The clerk shall permit any citizen at any time to copy any registration book without fee or charge, and he shall also furnish copies at the same rate as provided in section 21 of this act for copying the book kept in his office. Copies furnished to citizens under this section shall be paid for in cash by the person ordering them.

§ 20. In the event any registration book of any precinct is lost or destroyed by fire or otherwise, or so mutilated, blotted, defaced or otherwise in such condition as to render same difficult, troublesome or unsafe to use same longer, the County Board of Election Commissioners shall order a new registration of voters in said precinct as provided in this act. Said County Board of Election Commissioners shall, at least

thirty days before a new registration is ordered, notify in writing by registered letter the chairman of the city and county executive committee of each political party having representation on the State Board and County Board of Election Commissioners, but said registration shall be held on a regular registration day in September.

§ 21. The county court clerk, for his services under this act, shall receive the following fees, and no other: For copying the registration lists required to be kept in his office, or to be used in supplying lost books, the sum of three cents for each voter whose name is so copied; the sum of five cents for the name of each voter stricken off the list, and three cents for transferring the name of a voter from one precinct to another. The fees and expenses incurred under this act shall be paid as other election expenses.

§ 22. Any person who shall cause himself to be registered in more than one election precinct, or give a false number of his residence, or register more than once, in the same precinct, or who shall cause himself to be registered, knowing that he is not lawfully entitled to registration, or any person who shall aid or abet in the commission of any of said acts, shall be deemed guilty of a felony and shall be imprisoned in the penitentiary not less than one nor more than two years.

§ 23. Any officer of registration, or purgation officer, or other person, who shall unlawfully alter any registration book, or add any name thereto, or who shall wilfully secrete, suppress or destroy any such book, or who shall make or aid if registration for the purpose of registration book, shall be deemed guilty of felony, and shall be confined in the penitentiary not less than one year nor more than five years, and shall forfeit any office he then holds, and shall forever be disqualified from holding office.

§ 24. Any person who, by himself or in aid of others, shall forcibly break up, or attempt to break up, a registration held as provided in this act, or shall forcibly prevent or attempt to prevent, any person from approaching or entering a

place or making any false or fraudulent registering, shall be fined not less than one hundred nor more than five hundred dollars, or imprisoned not less than six nor more than twelve months in the county jail, or both.

§ 25. If any section, paragraph, clause or separable provision of this act should be adjudged to be unconstitutional, such decision shall not affect, or render unconstitutional, any other section, paragraph, clause or separable provision of the act, it being the intention of the General Assembly, in enacting this act, to enact each section, paragraph, clause and provision separately.

§ 26. This act, and all and each of its various sections, paragraphs, clauses and provisions shall be liberally construed in favor of the purpoes of this act.

§ 27. All laws or parts of laws relating to the registration of voters in this state, conflicting with the provisions of this act, are hereby repealed.

Mr. Simons offered the following amendments to said bill, viz.:

Amend H. B. 254 by adding the following after section 24:

Section 25. The General Assembly of Kentucky, at the session of 1922, enacted a law providing for the registration of voters in each precinct of this state. Pursuant to the provisions of such law, books for the registration of voters were printed on orders of the proper authorities in each county. Said law was declared to be unconstitutional and void by the Court of Appeals of Kentucky, and the books, so printed, were not used, as no registration was held under the provisions of said law. The form for the registration of voters, as contained in said books, is identical with the form required under the provisions hereof, except that the form contained in said books required each person applying to register to

state his or her age, said requirement being omitted therefrom. In order, therefore, to save the cost of printing and furnishing to the various counties entirely new books of registration, they shall use said books heretofore printed, and reimburse the state for same and, in such use, the officers of registration shall not require any person applying to register to state his or her age, except that each person applying to register shall state that he os she is more than twenty-one years of age.

Amend H. B. 254 by striking the figures "26" from line 1 of that section, on page 18 of the printed bill, and inserting in lieu thereof the figures "26."

Amend H. B. 254 by striking from section 9, lines 1 and 2, page 8 of the printed bill, the words "of this Commonwealth," and inserting in lieu thereof the words "covered by this act."

Amend H. B. 254 by striking the figures "section 27" from line 1 of that section, on page 19 of the printed bill, and inserting in lieu thereof the figures "section 28."

Amend H. B. 254 by striking the figures "section 25" from line 1 of that section, on page 18 of the printed bill and inserting in lieu thereof the figures "section 26."

Said amendments were each and severally adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. B. Ardery	H. C. Duffy	J. W. Martin
J. H. Baughman	Wm. M. Duncan	E. B. Miller
L. D. Bax	D. E. Edwards	E. D. Morris
W. B. Belknap	J. O. Evans	Chas. A. Nelson
C. W. Bennett	T. H. Golden	J. J. Patterson
J. E. Bickett	J. E. Hadden	J. E. Robbins
S. A. Blackburn	W. R. Haselwood	Arthur Saunders
W. M. Boling	J. W. Howard	Lee L. Simons
W. B. Bush	L. J. Jeter	W. M. Simpson
Allen B. Cammack	A. J. Jolly	Geo. W. Smith
Lee Clark	H. J. Kegley	F. L. Strange
Sam Cole	T. H. King	D. D. Thornberry
F. W. Collings	T. J. Knight	N. I. Toombs
L. F. Coomes	I. T. Layman	J. Wood Vance
J. L. Cushing	Leon P. Lewis	M. E. Vaughan
B. F. Day	Martin Light	W. S. Wallen
J. R. Dorman	J. T. Linton	E. C. Walker
E. J. Doss	J. Will McFarlin	W. D. Watkins
G. L. Drury	W. J. McMurry	C. Westerfield

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Those who voted in the negative were—

W. L. Agee	R. J. Cain	J. L. Manning
T. H. Baker	O. C. Gartin	J. L. Morgan
A. J. Baldridge	J. Roy Johnson	J. L. Richardson
Homer Beliles	D. C. Jones	C. D. Vincent
J. F. Bosworth	Leroy Lewis	F. E. Wilson
W. J. Brandenburg	R. D. McMurtry	

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Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 298. An act relating to streets and alleys.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in any city in this Comonwealth, wherein there is now or may hereafter be located any lots or parcels of ground upon which there be building or buildings used solely for state governmental purposes, and upon which lots or buildings there be assessed or levied no ad valorem taxes for state, county, city or taxing district purposes, it shall be the duty of the Commonwealth to construct, reconstruct and maintain such street or streets as lead from one building to the other, the street or streets so to be constructed, reconstructed or maintained to be such as present the most direct and feasible route from building or buildings to building or buildings, the route to be determined by an ordinance or resolution of the legislative board or body of such city or town and approved by the State Highway Engineer of the Commonwealth.

§ 2. After such routes have been selected and approved as in section 1, provided it shall be the duty of the city in which such improvements are to be made, conjointly with the State Highway Commission to advertise for bids as is now provided for in the present road laws, the contract to be let by the said highway commission to the lowest and best bidder in the manner and form as is now or hereafter provided for in the road and highway laws.

§ 3. The said highway commission may, in its discretion, after advertising for and receiving bids as is provided for in the road laws, direct and order that the construction,

reconstruction and maintenance of such streets as set out in section 1, be done and had by force account, or may adopt both plans and let part of said work to contract, and a part to be done by force account.

§ 4. The work to be done under this act shall be under the joint supervision of the State Highway Engineer of the state, and his representatives, and the engineer of the city or town where the improvement is to be made, and in cases of difference of opinion, the judgment of the chief highway engineer to prevail.

§ 5. Upon the completion of the improvement upon any street, or any portion of any street not less than the length of a square block, the state engineer of the state and the engineer of the city or town shall certify the amount due under contract or account, to the Auditor of Public Accounts who shall draw his warrant for the amount due, same to be paid out of the general fund of the Commonwealth.

§ 6. Provided, that in no event shall the improvement, construction, reconstruction or maintenance in any one city or town be made upon any street or streets where the distance over such street or streets between such governmental buildings is more than one and one-half miles by the most direct route.

Mr. Jeter offered the following amendment to said bill, viz.:

Amend S. B. 298 by striking out, in section 6, line 4, page 2 of the printed bill, the following words, "one and one-half miles" and substituting therefor the words "one-eighth mile."

Said amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Jeter and Bennett, were as follows, viz.:

Those who voted in the affirmative were—

C. W. Bennett	Martin Light	F. V. Nunnelly
D. E. Edwards	J. W. Martin	A. W. Stamper
L. J. Jeter	Chas. A. Nelson	

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Those who voted in the negative were—

W. L. Agee	Wm. M. Duncan	Harry Miller
T. H. Baker	O. C. Gartin	G. W. Morgan
A. J. Baldridge	T. H. Golden	J. L. Morgan
L. D. Bax	J. E. Hadden	Wm. J. Moore
W. B. Belknap	W. R. Haselwood	E. D. Morris
Homer Beliles	J. W. Howard	V. H. Redwine
J. E. Bickett	Hector Johnson	J. F. Reed
S. A. Blackburn	J. Roy Johnson	J. E. Robbins
W. M. Boling	A. J. Jolly	Arthur Saunders
J. F. Bosworth	D. C. Jones	G. W. Shadoan
W. J. Brandenburg	H. J. Kegley	Lee L. Simons
W. B. Bush	T. H. King	W. M. Simpson
Allen B. Cammack	T. J. Knight	Geo. W. Smith
R. J. Cain	John H. Lawson	D. D. Thornberry
Sherman Chasteen	I. T. Layman	N. I. Toombs
Lee Clark	Leon P. Lewis	G. D. Vincent
Sam Cole	Leroy Lewis	W. S. Wallen
F. W. Collings	J. T. Linton	E. C. Walker
J. L. Cushing	J. Will McFarlin	W. D. Watkins
B. F. Day	W. J. McMurry	C. Westerfield
J. R. Dorman	R. D. McMurtry	F. E. Wilson
E. J. Doss	J. L. Manning	
G. L. Drury	E. B. Miller	

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Mr. Howard moved that the vote by which the House refused to adopt said amendment be reconsidered and that motion lie on the table.

Said last named motion was agreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	Wm. M. Duncan	J. L. Morgan
T. H. Baker	O. C. Gartin	Wm. J. Moore
A. J. Baldridge	T. H. Golden	E. D. Morris
L. D. Bax	J. E. Hadden	J. J. Patterson
J. E. Bickett	J. W. Howard	G. L. Perryman
W. M. Boling	Hector Johnson	V. H. Redwine
J. F. Bosworth	J. Roy Johnson	J. F. Reed
W. J. Brandenburg	A. J. Jolly	J. E. Robbins
W. B. Bush	D. C. Jones	G. W. Shadoan
Allen B. Cammack	H. J. Kegley	Lee L. Simons
R. J. Cain	T. H. King	W. M. Simpson
Sherman Chasteen	John H. Lawson	D. D. Thornberry
Lee Clark	I. T. Layman	N. I. Toombs
Sam Cole	Leroy Lewis	J. Wood Vance
F. W. Collings	J. T. Linton	C. D. Vincent
J. L. Cushing	R. D. McMurtry	W. S. Wallen
B. F. Day	J. L. Manning	E. C. Walker
J. R. Dorman	E. B. Miller	W. D. Watkins
E. J. Doss	Harry Miller	
G. L. Drury	G. W. Morgan	—58

Those who voted in the negative were—

W. B. Belknap	L. J. Jeter	J. W. Martin
Homer Beliles	T. J. Knight	Chas. A. Nelson
C. W. Bennett	Leon P. Lewis	F. V. Nunnelly
L. F. Coomes	Martin Light	Geo. W. Smith
H. C. Duffy	J. Will McFarlin	A. W. Stamper
D. E. Edwards	W. J. McMurry	W. S. Tinsley
W. R. Haselwood		

—19

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which the House passed said bill be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 211. An act to amend section 5 of chapter 17 of the Acts of 1920, project 13, relating to the system of primary state roads.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 5 of chapter 17 of the Acts of 1920, project No. 13, be amended by striking therefrom the words "and" before the word "Warsaw," and by inserting after the word "Warsaw," the following: "Union, thence via Florence and Union pike to Florence," so that said section 5 of the Acts of 1920 as amended will read as follows: "Project No. 13. From Louisville to Florence, via Russell's Corner, Bedford, Milton, Carrollton, Warsaw, Union, thence via the Florence and Union pike to Florence."

Mr. Howard offered the following amendment to said bill, viz.:

That H. B. 211 be amended by adding the words "Big Bone Springs, Grance Hall," immediately before the word "Union," in the fourth line of said bill, and by adding the same words immediately before the word "Union," in the seventh line of said bill.

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

The constituoial provision as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	T. H. Golden	Wm. J. Moore
A. J. Baldridge	J. E. Hadden	E. D. Morris
L. D. Bax	W. R. Haselwood	Chas. A. Nelson
W. B. Belknap	J. W. Howard	F. V. Nunnelly
Homer Beliles	Hector Johnson	J. J. Patterson
C. W. Bennett	J. Roy Johnson	G. L. Perryman
J. E. Bickett	A. J. Jolly	J. E. Robbins
J. F. Bosworth	D. C. Jones	Arthur Saunders
W. J. Brandenburg	T. H. King	G. W. Shadoan
W. B. Bush	T. J. Knight	Lee L. Simons
Allen B. Cammack	John H. Lawson	W. M. Simpson
Lee Clark	Leon P. Lewis	F. L. Strange
Sam Cole	J. T. Linton	D. D. Thornberry
F. W. Collings	W. J. McMurry	W. S. Tinsley
L. F. Coomes	R. D. McMurtry	N. I. Toombs
J. L. Cushing	J. L. Manning	M. E. Vaughan
J. R. Dorman	J. W. Martin	C. D. Vincent
E. J. Doss	E. B. Miller	W. S. Wallen
Wm. M. Duncan	Harry Miller	W. D. Watkins
D. E. Edwards	G. W. Morgan	C. Westerfield
O. C. Gartin	J. L. Morgan	F. E. Wilson

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Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which the House passed said bill be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Howard moved that the session of today be extended indefinitely.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar bills of the following titles, viz.:

H. B. 585. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, relating to roads and bridges and providing for the establishment and designating the primary system of state highways in the Commonwealth of Kentucky, by adding thereto an additional project running from Eddyville, Lyon county, Kentucky, to Benton, Marshall county, Kentucky.

H. B. 562. An act to add to project 24 in Pulaski county and including in the state primary system of roads the route from Somerset to London, in Laurel county, by way of Ruth, Dykes, Mt. Victory and Rockcastle Springs.

H. B. 586. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 920, by adding thereto, as project —, extending from a point three miles east of Rochester to Lewisburg.

H. B. 556. An act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of Kentucky of 1920, by adding thereto as project —, extending from Greenburg to Burkesville, via Milltown and Gradyville.

H. B. 567. An act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of

Kentucky, by adding thereto as project —, extending from Hardyville to Leitchfield via Canmer, Munfordville, Priceville and Millerstown.

H. B. 561. An act to add to project 2 in Casey county and including in the state primary system of roads, the route from Liberty in Casey county to a point on project 22 near the town of Eubank in Pulaski county, by way of Bethelridge.

S. B. 307. An act adding a part of the Dixie Highway to the primary system of state highways.

S. B. 316. An act relating to roads and bridges.

S. B. 350. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto, as project —, extending from Lancaster to Nicholasville, via Buckeye.

S. B. 175. An act to amend project 37 of section 5 of chapter 17 of the Acts of 1920, entitled an act relating to roads and bridges.

Ordered, that said bills be read the second time.

The constitutional provisions as to the second reading of said bills at length being dispensed with, they were read the second time by their titles.

Ordered, that said bills be placed in the Order of the Day.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 279. An act to amend chapter 17, Acts of the General Assembly of Kentucky relating to roads and bridges.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1920 session, relating to roads and bridges, be amended in project No. 4, by inserting in project No. 4, in lieu of the word "Dwarf," the words "Chavies, Napfor and Yerkes," so that said project No. 4, when amended thus, will read as follows: "Project No. 4, Winchester to Whitesburg, via Stanton, Campton, Jackson, Chavies, Napfor and Hazard.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:.

Those who voted in the affirmative were—

W. L. Agee	J. F. Bosworth	B. F. Day
W. B. Ardery	W. J. Brandenburg	J. R. Dorman
T. H. Baker	W. B. Bush	E. J. Doss
A. J. Baldridge	Allen B. Cammack	G. L. Drury
J. H. Baughman	R. J. Cain	Wm. M. Duncan
L. D. Bax	Sherman Chasteen	D. E. Edwards
W. B. Belknap	Lee Clark	J. O. Evans
Homer Beliles	Sam Cole	O. C. Gartin
C. W. Bennett	F. W. Collings	T. H. Golden
J. E. Bickett	L. F. Coomes	J. E. Hadden
W. M. Boling	J. L. Cushing	W. R. Haselwood

J. W. Howard	J. L. Manning	G. W. Shadoan
L. J. Jeter	J. W. Martin	Lee L. Simons
Hector Johnson	E. B. Miller	W. M. Simpson
J. Roy Johnson	Harry Miller	Geo. W. Smith
A. J. Jolly	G. W. Morgan	A. W. Stamper
H. J. Kegley	J. L. Morgan	D. D. Thornberry
T. H. King	Wm. J. Moore	W. S. Tinsley
T. J. Knight	E. D. Morris	N. I. Toombs
John H. Lawson	Chas. A. Nelson	J. Wood Vance
I. T. Layman	F. V. Nunnelly	C. D. Vincent
Leon P. Lewis	J. J. Patterson	W. S. Wallen
Leroy Lewis	G. L. Perryman	E. C. Walker
Martin Light	V. H. Redwine	W. D. Watkins
J. T. Linton	J. L. Richardson	C. Westerfield
W. J. McMurry	J. E. Robbins	F. E. Wilson
R. D. McMurtry	Arthur Saunders	—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 284. An act to amend chapter 17 of the Acts of 1920, approved March 16, 1920, entitled "An act relating to roads and bridges; creating the Department of State Roads and Highways, providing for officers to administer it and prescribing the amount which may be expended by said department; prescribing laws governing said department and the officers therein; accepting the provisions of the federal law

providing that the United States shall assist in the construction of rural post roads and making appropriations for cooperative work with the United States government; providing for the payment of the state's part of the construction of state aid roads under the present law; providing for the acceptance of and making binding gifts and donations; establishing and designing a primary system of state highways and providing for their construction and maintenance; providing for the obtaining of rights of way and naming cities and towns from which construction shall commence; and repealing subsections 1, 2, 4, 5, 6 and 7 of section 4356t, Kentucky Statutes, edition 1915; also repealing section 4356u and subsections 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25 of section 4356x, Kenucky Statutes, edition 1915, and the supplement to said edition known as Vol. 3 repealing any other act or acts in conflict herewith'' by adding thereto and to the primary system of roads thereby establishing a road project extending from Stanton, the county seat of Powell county, Kentucky, by the way of Clay City, Kentucky, to Mt. Sterling, the county seat of Montgomery county, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the primary system of state highways established by the act stated in the caption hereof, and by section 4356t-5 of the Kentucky Statutes be extended to include, and that there be included in said primary system of state highways a road running from project No. 4 of said system at a connection herewith at Stanton, Kentucky, to extend by way of Clay City, Kentucky, to connect with project Nos. 32 and 47 of said system at Mt. Sterling, Montgomery county, Kentucky; and that the said road and project shall in all respects be governed by, and receive the benefits of, the legislation stated in the caption hereof, and all amendments thereto.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 300. An act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of Kentucky of 1920 by adding thereto as project No. —, extending from Princeton, Caldwell county, to Dixon, Webster county, via Farmersville, Flat Rock, Creswell and Shade Grove, Caldwell county, to Dixon, Webster county, via Providence, Webster county.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly of Kentucky of 1920 be amended by adding to and inserting just after the last named project No. —.

The following project No. —, from Princeton to Dixon, via Farmersville, Flat Rock, Creswell, Shady Grove, Caldwell county, to Dixon, Webster county, via Providence, over Dixie B Line, to Dixon, Webster county.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 309. An act to amend project 63 of section 4356t-5, Kentucky Statutes, Carroll's edition, 1922, establishing a primary system of state highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That project No. 63, in section 4356t-5, Kentucky Statutes, Carroll's edition, 1922, be amended by striking out the words "Campbellsville" and inserting the word "Campbellsburg," and by adding to said project the following words: "And from New Castle, in Henry county, to Bedford, in Trimble county, by way of Sulphur," so that said project when so amended shall read as follows:

"Project No. 63 from Campbellsburg to Bedford and from New Castle, in Henry county, to Bedford, in Trimble county, by way of Sulphur."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 319. An act establishing a road leading from Covington, Kenton county, Kentucky, via Decoursey, Whitestower, Nicholson, Walton, Florence, Burlington, Bellevue, Petersburg, Idlewild, Bullitsville, Hebron, Constance, Fairview, Bromley and Ludlow to Covington, in Kenton county, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Covington, in Kenton county, Kentucky, via the Decoursey pike, in a southern direction, to the intersection of the Decoursey pike and Taylor Mill road; thence via the Taylor Mill road in a southern direction to the Independence-Piner road; thence northwest with the Independence pike to the intersection of the Walton-Nicholson road; thence with the Walton-Nicholson road to a point where the road intersects the state road known as project No. 5, thence in a northern direction with the state highway project No. 6, to Florence; thence via the Florence and Burlington pike to Burlington, Boone county, Kentucky; thence via the Burlington-Bellevue pike to Bellevue; thence in a northern direction to Petersburg, via the River road or Dry Creek pike, through Idlewild, Bullittsville, Hebron, Constance, Bromley and Ludlow to Covington, Kentucky, be and the same is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, and the construction, maintenance, supervision and control of said road shall be subject to all of the terms and conditions

set out and provided for in chapter 17 of the Acts of 1920, establishing and creating a primary system of state roads.

§ 2. Said road shall be designated as project No. —.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	G. L. Drury	J. W. Martin
W. B. Ardery	Wm. M. Duncan	E. B. Miller
T. H. Baker	D. E. Edwards	Harry Miller
A. J. Baldridge	J. O. Evans	G. W. Morgan
J. H. Baughman	O. C. Gartin	J. L. Morgan
L. D. Bax	T. H. Golden	Wm. J. Moore
W. B. Belknap	J. E. Hadden	E. D. Morris
Homer Beliles	W. R. Haselwood	Chas. A. Nelson
C. W. Bennett	J. W. Howard	F. V. Nunnelly
J. E. Bickett	L. J. Jeter	J. J. Patterson
W. M. Boling	Hector Johnson	G. L. Perryman
J. F. Bosworth	J. Roy Johnson	V. H. Redwine
W. J. Brandenburg	A. J. Jolly	J. L. Richardson
W. B. Bush	H. J. Kegley	J. E. Robbins
Allen B. Cammack	T. H. King	Arthur Saunders
R. J. Cain	T. J. Knight	G. W. Shadoan
Sherman Chasteen	John H. Lawson	Lee L. Simons
Lee Clark	I. T. Layman	W. M. Simpson
Sam Cole	Leon P. Lewis	Geo. W. Smith
F. W. Collings	Leroy Lewis	A. W. Stamper
L. F. Coomes	Martin Light	D. D. Thornberry
J. L. Cushing	J. T. Linton	W. S. Tinsley
B. F. Day	W. J. McMurry	N. I. Toombs
J. R. Dorman	R. D. McMurtry	J. Wood Vance
E. J. Doss	J. L. Manning	C. D. Vincent

W. S. Wallen W. D. Watkins F. E. Wilson
E. C. Walker C. Westerfield —80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 325. An act establishing road leading from Longridge to Williamstown by Jonesville, Downingsville, Stewartsville to Williamstown.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the road leading from Longridge to Williamstown by the way of Jonesville, Downingsville, Stewartsville, to Williamstown, the same is hereby established as a part of the primary system of the state highways of the Commonwealth of Kentucky, and the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17, page 76, of the Acts of 1920, establishing and creating a primary system of state highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 326. An act establishing the road leading from project 49, at the Brissie road, to project 5, by Harris Mussleman's, via Sweet Owen, Needmore, Holbrook and Lawrenceville.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from project 49, at the Brissie road, to project 5, by Harry Mussleman's, via Sweet Owen, Needmore, Holbrook and Lawrenceville and that the same is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky and the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in chapter 17, page 76, of the Acts of 1920, establishing and creating a primary system of state highways.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 327. An act establishing a road running from Rocky Hill, Edmonson county, Kentucky, to Dixie Highway, at Fred Moore's place, as a state primary road and designating said road as project —.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road to lead from Rocky Hill, in Edmonson county, to Dixie Highway, at Fred Moore's place. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways.

§ 2. Said road shall be designated and known as project. No. —.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
Harry Miller
E. B. Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House

took up for consideration from the Orders of the Day a bill entitled:

S. B. 328. An act to amend chapter 17 of the Acts of the General Assembly of 1920, as approved by the Governor March 16, 1920, relating to roads and bridges, and creating a primary system of state highways by giving a more definite routing of that portion of the state highway system as named in said act in project 14, which reads "from Morgantown to Munfordville, via Brownsville and Mammoth Cave."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That project No. 14 of state primary system of highways shall run from Morgantown to Munfordville, via Brownsville, Arthur, Mammoth Cave, Stockholm and Cub Run.

§2. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	J. H. Baughman	C. W. Bennett
W. B. Ardery	L. D. Bax	J. E. Bickett
T. H. Baker	W. B. Belknap	W. M. Boling
A. J. Baldridge	Homer Beliles	J. F. Bosworth

W. J. Brandenburg	Hector Johnson	F. V. Nunnelly
W. B. Bush	J. Roy Johnson	J. J. Patterson
Allen B. Cammack	A. J. Jolly	G. L. Perryman
R. J. Cain	H. J. Kegley	V. H. Redwine
Sherman Chasteen	T. H. King	J. L. Richardson
Lee Clark	T. J. Knight	J. E. Robbins
Sam Cole	John H. Lawson	Arthur Saunders
F. W. Collings	I. T. Layman	G. W. Shadoan
L. F. Coomes	Leon P. Lewis	Lee L. Simons
J. L. Cushing	Leroy Lewis	W. M. Simpson
B. F. Day	Martin Light	Geo. W. Smith
J. R. Dorman	J. T. Linton	A. W. Stamper
E. J. Doss	W. J. McMurry	D. D. Thornberry
G. L. Drury	R. D. McMurtry	W. S. Tinsley
Wm. M. Duncan	J. L. Manning	N. I. Toombs
D. E. Edwards	J. W. Martin	J. Wood Vance
J. O. Evans	E. B. Miller	C. D. Vincent.
O. C. Gartin	Harry Miller	W. S. Wallen
T. H. Golden	G. W. Morgan	E. C. Walker
J. E. Hadden	J. L. Morgan	W. D. Watkins
W. R. Haselwood	Wm. J. Moore	C. Westerfield
J. W. Howard	E. D. Morris	F. E. Wilson
L. J. Jeter	Chas. A. Nelson	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committe on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 329. An act establishing the road leading from Glencoe to Napoleon, South Fork, Beaver and Richwood.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Glencoe to Napoleon, South Fork, Beaver and Richwood where it connects with the state primary route 5, be and the same is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, and the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17, page 76 of the Acts of 1920, establishing and creating a primary system of highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	W. B. Bush	Wm. M. Duncan
W. B. Ardery	Allen B. Cammack	D. E. Edwards
T. H. Baker	R. J. Cain	J. O. Evans
A. J. Baldridge	Sherman Chasteen	O. C. Gartin
J. H. Baughman	Lee Clark	T. H. Golden
L. D. Bax	Sam Cole	J. E. Hadden
W. B. Belknap	F. W. Collings	W. R. Haselwood
Homer Beliles	L. F. Coomes	J. W. Howard
C. W. Bennett	J. L. Cushing	L. J. Jeter
J. E. Bickett	B. F. Day	Hector Johnson
W. M. Boling	J. R. Dorman	J. Roy Johnson
J. F. Bosworth	E. J. Doss	A. J. Jolly
W. J. Brandenburg	G. L. Drury	H. J. Kegley

T. H. King	G. W. Morgan	W. M. Simpson
T. J. Knight	J. L. Morgan	Geo. W. Smith
John H. Lawson	Wm. J. Moore	A. W. Stamper
I. T. Layman	E. D. Morris	D. D. Thornberry
Leon P. Lewis	Chas. A. Nelson	W. S. Tinsley
Leroy Lewis	F. V. Nunnelly	N. I. Toombs
Martin Light	J. J. Patterson	J. Wood Vance
J. T. Linton	G. L. Perryman	C. D. Vincent
W. J. McMurry	V. H. Redwine	W. S. Wallen
R. D. McMurtry	J. L. Richardson	E. C. Walker
J. L. Manning	J. E. Robbins	W. D. Watkins
J. W. Martin	Arthur Saunders	C. Westerfield
E. B. Miller	G. W. Shadoan	F. E. Wilson
Harry Miller	Lee L. Simons	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title of said bill be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 332. An act to repeal and re-enact paragraph 2, section 5, chapter 17 of Acts of 1920, same being paragraph 2, section 4356t-5, Kentucky Statutes, 1922, of roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That paragraph two of section 4 of chapter 17 of the Acts of 1920, the same being first paragraph of sections 4356t-5 of the Kentucky Statutes of 1920, the same relating to public roads, and the same is now hereby repealed and in lieu of the same the following it to be and is re-enacted as follows, to wit:

Project No. 1. From Wickliffe to Springfield, via Bardwell, Milburn, Mayfield, Benton, Eggner's Ferry, Fenton, Cadiz, Gracey, Hopkinsville, Elkton, Russellville, Bowling Green, Glasgow, Edmonton, Greensburg, Campbellsville and Lebanon.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	Sherman Chasteen	W. R. Haselwood
W. B. Ardery	Lee Clark	J. W. Howard
T. H. Baker	Sam Cole	L. J. Jeter
A. J. Baldridge	F. W. Collings	Hector Johnson
J. H. Baughman	L. F. Coomes	J. Roy Johnson
L. D. Bax	J. L. Cushing	A. J. Jolly
W. B. Belknap	B. F. Day	H. J. Kegley
Homer Beliles	J. R. Dorman	T. H. King
C. W. Bennett	E. J. Doss	T. J. Knight
J. E. Bickett	G. L. Drury	John H. Lawson
W. M. Boling	Wm. M. Duncan	I. T. Layman
J. F. Bosworth	D. E. Edwards	Leon P. Lewis
W. J. Brandenburg	J. O. Evans	Leroy Lewis
W. B. Bush	O. C. Gartin	Martin Light
Allen B. Cammack	T. H. Golden	J. T. Linton
R. J. Cain	J. E. Hadden	W. J. McMurry

R. D. McMurtry	J. J. Patterson	D. D. Thornberry
J. L. Manning	G. L. Perryman	W. S. Tinsley
J. W. Martin	V. H. Redwine	N. I. Toombs
E. B. Miller	J. L. Richardson	J. Wood Vance
Harry Miller	J. E. Robbins	C. D. Vincent
G. W. Morgan	Arthur Saunders	W. S. Wallen
J. L. Morgan	G. W. Shadoan	E. C. Walker
Wm. J. Moore	Lee L. Simons	W. D. Watkins
E. D. Morris	W. M. Simpson	C. Westerfield
Chas. A. Nelson	Geo. W. Smith	F. E. Wilson
F. V. Nunnelly	A. W. Stamper	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 334. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways, and establishing and creating project 10½A.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Car-

roll's 1922 Kentucky Statutes, relating to roads and Highways, shall be and the same is hereby amended so as to create and establish project No. 10½A, which is a road leading from Calhoun, McLean county, to or at a point near Ashbysburg, Hopkins county, Kentucky, thence to a point at or near Slaughters, Webster county, Kentucky, thence to Hanson, Hopkins county, Kentucky, along or near the old L. & N. Railroad bed, connecting with the inter-county seat highway to Madisonville, Kentucky, so that said project No. 10½A, as established and created, will be as follows:

"Project No. 10½A, from Calhoun, McLean county, to a point at or near Ashbysburg, Hopkins county, Kentucky; thence to Slaughters, Webster county, Kentucky, thence to a point at or near Hanson, Hopkins county, Kentucky, along or near the old L. & N. Railroad bed, connecting with the inter-county seat highway to Madisonville, Kentucky."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	W. M. Boling	L. F. Coomes
W. B. Ardery	J. F. Bosworth	J. L. Cushing
T. H. Baker	W. J. Brandenburg	B. F. Day
A. J. Baldridge	W. B. Bush	J. R. Dorman
J. H. Baughman	Allen B. Cammack	E. J. Doss
L. D. Bax	R. J. Cain	G. L. Drury
W. B. Belknap	Sherman Chasteen	Wm. M. Duncan
Homer Beliles	Lee Clark	D. E. Edwards
C. W. Bennett	Sam Cole	J. O. Evans
J. E. Bickett	F. W. Collings	O. C. Gartin

T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
J. L. Morgan
G. W. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 338. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356a-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways, and establishing and creating project No. 2½-A.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes relating to roads and highways, shall be and the same is hereby amended so as to create and establish project No. 2½-A, which is a road leading from Slaughters, Webster county, to Dixon, Webster county, Kentucky, connecting with the federal highway from Henderson, Kentucky, to Guthrie, Kentucky.

So that said project No. 2½-A, as established and created will be as follows:

"Project No. 2½-A, from Slaughters, Webster county, Kentucky, to Dixon, Webster county, Kentucky, connecting with the federal highway from Henderson, Kentucky, to Guthrie, Kentucky."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	Homer Beliles	Allen B. Cammack
W. B. Ardery	C. W. Bennett	R. J. Cain
T. H. Baker	J. E. Bickett	Sherman Chasteen
A. J. Baldridge	W. M. Boling	Lee Clark
J. H. Baughman	J. F. Bosworth	Sam Cole
L. D. Bax	W. J. Brandenburg	F. W. Collings
W. B. Belknap	W. B. Bush	L. F. Coomes

J. L. Cushing	John H. Lawson	V. H. Redwine
B. F. Day	I. T. Layman	J. L. Richardson
J. R. Dorman	Leon P. Lewis	J. E. Robbins
E. J. Doss	Leroy Lewis	Arthur Saunders
G. L. Drury	Martin Light	G. W. Shadoan
Wm. M. Duncan	J. T. Linton	Lee L. Simons
D. E. Edwards	W. J. McMurry	W. M. Simpson
J. O. Evans	R. D. McMurtry	Geo. W. Smith
O. C. Gartin	J. L. Manning	A. W. Stamper
T. H. Golden	J. W. Martin	D. D. Thornberry
J. E. Hadden	E. B. Miller	W. S. Tinsley
W. R. Haselwood	Harry Miller	N. I. Toombs
J. W. Howard	G. W. Morgan	J. Wood Vance
L. J. Jeter	J. L. Morgan	C. D. Vincent
Hector Johnson	Wm. J. Moore	W. S. Wallen
J. Roy Johnson	E. D. Morris	E. C. Walker
A. J. Jolly	Chas. A. Nelson	W. D. Watkins
H. J. Kegley	F. V. Nunnelly	C. Westerfield
T. H. King	J. J. Patterson	F. E. Wilson
T. J. Knight	G. L. Perryman	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 341. An act to establish a road leading from project 9, at Mayfield, Graves county, Kentucky, south to the Tennessee-Kentucky state line at Dukedom, Tennessee, to

connect with the highway system of the state of Tennessee, in Weakley county, Tennessee, with a highway of state system leading north from Fresden, the county seat of Weakley county, to Dukedom, Tennessee, in the Kentucky-Tennessee state line, to be designated as project 9a of the primary system of state highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road leading from project No. 9, at Mayfield, Graves county, Kentucky, south to the Tennessee-Kentucky state line at Dukedom, Tennessee, to connect with the highway system of the state of Tennessee, in Weakley county, Tennessee, with a highway of state system leading from Dresden, the county seat of Weakley county, to Dukedom, Tennessee, in the Kentucky-Tennessee state line, to be designated as project No. 9a of the primary system of state highways, and that the construction, maintenance, provision and control of said road shall be subject to all of the terms and conditions of the primary system of state highways as set out in chapter 17 of the Acts of 1920.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	D. E. Edwards	J. L. Morgan
W. B. Ardery	J. O. Evans	Wm. J. Moore
T. H. Baker	O. C. Gartin	E. D. Morris
A. J. Baldridge	T. H. Golden	Chas. A. Nelson
J. H. Baughman	J. E. Hadden	F. V. Nunnelly
L. D. Bax	W. R. Haselwood	J. J. Patterson
W. B. Belknap	J. W. Howard	G. L. Perryman
Homer Beliles	L. J. Jeter	V. H. Redwine
C. W. Bennett	Hector Johnson	J. L. Richardson
J. E. Bickett	J. Roy Johnson	J. E. Robbins
W. M. Boling	A. J. Jolly	Arthur Saunders
J. F. Bosworth	H. J. Kegley	G. W. Shadoan
W. J. Brandenburg	T. H. King	Lee L. Simons
W. B. Bush	T. J. Knight	W. M. Simpson
Allen B. Cammack	John H. Lawson	Geo. W. Smith
R. J. Cain	I. T. Layman	A. W. Stamper
Sherman Chasteen	Leon P. Lewis	D. D. Thornberry
Lee Clark	Leroy Lewis	W. S. Tinsley
Sam Cole	Martin Light	N. I. Toombs
F. W. Collings	J. T. Linton	J. Wood Vance
L. F. Coomes	W. J. McMurry	C. D. Vincent
J. L. Cushing	R. D. McMurtry	W. S. Wallen
B. F. Day	J. L. Manning	E. C. Walker
J. R. Dorman	J. W. Martin	W. D. Watkins
E. J. Doss	E. B. Miller	C. Westerfield
G. L. Drury	Harry Miller	F. E. Wilson
Wm. M. Duncan	G. W. Morgan	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 342. An act establishing a road leading from project 9, at Mayfield, Graves county, Kentucky, to and intersecting with project 7, at Clinton, Hickman county, Kentucky, and to be designated as project 7a.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Common wealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road leading from project No. 9, at Mayfield, Graves county, Kentucky, to and intersecting with project No. 7, at Clinton, Hickman county, Kentucky, to be designated as project No. 7a, and that the construction, maintenance, provision and control of said road shall be subject to all of the terms and conditions of the primary system of state highways as set out in chapter 17 of Acts of 1920.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	A. J. Baldridge	W. B. Belknap
W. B. Ardery	J. H. Baughman	Homer Beliles
T. H. Baker	L. D. Bax	C. W. Bennett

J. E. Bickett	J. W. Howard	Chas. A. Nelson
W. M. Boling	L. J. Jeter	F. V. Nunnelly
J. F. Bosworth	Hector Johnson	J. J. Patterson
W. J. Brandenburg	J. Roy Johnson	G. L. Perryman
W. B. Bush	A. J. Jolly	V. H. Redwine
Allen B. Cammack	H. J. Kegley	J. L. Richardson
R. J. Cain	T. H. King	J. E. Robbins
Sherman Chasteen	T. J. Knight	Arthur Saunders
Lee Clark	John H. Lawson	G. W. Shadoan
Sam Cole	I. T. Layman	Lee L. Simons
F. W. Collings	Leon P. Lewis	W. M. Simpson
L. F. Coomes	Leroy Lewis	Geo. W. Smith
J. L. Cushing	Martin Light	A. W. Stamper
B. F. Day	J. T. Linton	D. D. Thornberry
J. R. Dorman	W. J. McMurry	W. S. Tinsley
E. J. Doss	R. D. McMurtry	N. I. Toombs
G. L. Drury	J. L. Manning	J. Wood Vance
Wm. M. Duncan	J. W. Martin	C. D. Vincent
D. E. Edwards	Harry Miller	W. S. Wallen
J. O. Evans	E. B. Miller	E. C. Walker
O. C. Gartin	G. W. Morgan	W. D. Watkins
T. H. Golden	J. L. Morgan	C. Westerfield
J. E. Hadden	Wm. J. Moore	F. E. Wilson
W. R. Haselwood	E. D. Morris	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 349. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto, as project —, extending from Lancaster to Danville, via Hedgeville.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly of Kentucky, of 1920, be amended by adding to and inserting just after the last named project No. —, on page —, thereof, the following:

"Project No. —, from Lancaster, the county seat of Garrard county, via Hedgeville, to Danville, the county seat of Boyle county.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	C. W. Bennett	Sherman Chasteen
W. B. Ardery	J. E. Bickett	Lee Clark
T. H. Baker	W. M. Boling	Sam Cole
A. J. Baldridge	J. F. Bosworth	F. W. Collings
J. H. Baughman	W. J. Brandenburg	L. F. Coomes
L. D. Bax	W. B. Bush	J. L. Cushing
W. B. Belknap	Allen B. Cammack	B. F. Day
Homer Beliles	R. J. Cain	J. R. Dorman

E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 10. An act to amend project 9 of section 5, Acts of 1920, relating to roads and bridges.

Said bill is as follows, viz.:

Whereas, there has heretofore been constructed by this Commonwealth and the county of Graves a public gravel road from Mayfield, Kentucky, to the line between Kentucky and the state of Tennessee, along the line of the Mayfield and Paris, Tennessee, public road, a distance of twenty miles, and,

Whereas, by the act of the General Assembly aforesaid said gravel road from Mayfield to the junction of said road and the old state road between Murray and Hickman, and said old state road from said junction to Murray were made a part of the primary system of state highways of Kentucky, which gravel road from Mayfield to the junction of said road with said state road has been taken over and is now being maintained by the Commonwealth as a part of its primary system of public highways, and,

Whereas, the state of Tennessee has completed and is now maintaining its system of public highways from the line between said states and from the south end of said gravel road, built by Graves county and Kentucky to Paris, Tennessee, and south thereof, for a distance of forty miles, and,

Whereas, it is of paramount importance not only to the adjoining counties of Kentucky and Tennessee, but also to the general traveling public, that the section of said gravel road from its junction with said state road south to the state line, a distance of five and two-tenths miles, connecting with the Tennessee system of highways, be made a part of the primary system of state highways of Kentucky; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That project No. 9 in section 5 of chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved by the Governor, March 16, 1920, and being section 4356t-5 of Carroll's Kentucky Statutes, 1922, be amended by adding thereto the following words: "Also the portion of said gravel road from its junction with said state road between Murray and Hickman, south to the state line, a distance of

five and two-tenths miles, connecting with the Tennessee system of public highways." So that said project No. 9, when so amended, shall read as follows: "Project No. 9. From Paducah to Kentucky-Tennessee state line, via Mayfield and Murray. Also the portion of said gravel road from its junction with said state road between Murray and Hickman, south to the state line, a distance of five and two-tenths miles, connecting with the Tennessee system of public highways."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	F. W. Collings	H. J. Kegley
W. B. Ardery	L. F. Coomes	T. H. King
T. H. Baker	J. L. Cushing	T. J. Knight
A. J. Baldridge	B. F. Day	John H. Lawson
J. H. Baughman	J. R. Dorman	I. T. Layman
L. D. Bax	E. J. Doss	Leon P. Lewis
W. B. Belknap	G. L. Drury	Leroy Lewis
Homer Beliles	Wm. M. Duncan	Martin Light
C. W. Bennett	D. E. Edwards	J. T. Linton
J. E. Bickett	J. O. Evans	W. J. McMurry
W. M. Boling	O. C. Gartin	R. D. McMurtry
J. F. Bosworth	T. H. Golden	J. L. Manning
W. J. Brandenburg	J. E. Hadden	J. W. Martin
W. B. Bush	W. R. Haselwood	E. B. Miller
Allen B. Cammack	J. W. Howard	Harry Miller
R. J. Cain	L. J. Jeter	G. W. Morgan
Sherman Chasteen	Hector Johnson	J. L. Morgan
Lee Clark	J. Roy Johnson	Wm. J. Moore
Sam Cole	A. J. Jolly	E. D. Morris

Chas. A. Nelson	G. W. Shadoan	J. Wood Vance
F. V. Nunnelly	Lee L. Simons	C. D. Vincent
J. J. Patterson	W. M. Simpson	W. S. Wallen
G. L. Perryman	Geo. W. Smith	E. C. Walker
V. H. Redwine	A. W. Stamper	W. D. Watkins
J. L. Richardson	D. D. Thornberry	C. Westerfield
J. E. Robbins	W. S. Tinsley	F. E. Wilson
Arthur Saunders	N. I. Toombs	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 16. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of the 1920 session. Approved March 16, 1920. Which act related to roads and bridges and the creation of the Department of State Roads and Highways, etc., by adding to said act project —, which shall run from Frankfort to Lawrenceburg, thence to Harrodsburg, Danville, Hustonville, Liberty, Russell Springs, Columbia, Edmonton and Glasgow, and to be known as the Capital Cities Highway.

Said bill is as follows, viz.:

Whereas, it would be of great benefit to the Commonwealth of Kentucky to connect the capital city of the state of

Kentucky with the capital city of the state of Tennessee, by state highway roads, and,

Whereas, it would be of incalculable benefit to the state of Kentucky to connect by short and direct route the southern and southwestern portions of the state of Kentucky with the central and northern portions of the said state, and,

Whereas, in order to construct such a highway it is necessary to designate as state highways certain roads to connect projects already designated by the legislature; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That chapter 17 of the Acts of the 1920 session of the General Assembly of the Commonwealth of Kentucky, approved by the Governor on March 16, 1920, which act relates to the designation and creation of state highways and bridges and creates the Department of State Roads and Highways, etc., be amended by adding to section five of said act project No. —, which project is as follows:

Beginning at Frankfort, Kentucky, thence to Alton, and thence following project No. 20 to Lawrenceburg; thence following project No. 22 to Harrodsburg; thence following project No. 22 to Danville; thence from Danville to Hustonville; thence from Hustonville following project No. 23 to Font Hill; thence following project No. 24, via Russell Springs to Columbia to Edmonton; thence following project No. 1 to Glasgow, which project shall be designated and known as the Capital Cities Highway.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
J. Roy Johnson
Hector Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 34. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways and establishing and creating project 10½.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes relating to roads and highways, all be and the same is hereby amended so as to create and establish project No. 10½, which is a road leading from Dawson Springs, Kentucky, to Hopkinsville, Kentucky, and from that point towards Clarksville, Tennessee, to a point on the Kentucky and Tennessee state line connecting with a federal highway from Clarksville, Tennessee, at or near a place called Edgoten, thus providing a continuous and direct highway connecting the federal highway systems of the states of Kentucky and Tennessee.

So that said project No. 10½, as established and created, will be as follows:

Project No. 10½—From Dawson Springs, Kentucky, to Hopkinsville, the county seat of Christian county, Kentucky, and from thence following the old Clarksville road to a point on the Kentucky-Tennessee state line at or near Edgoten, and connecting there with the federal highway in the state of Tennessee, running from Clarksville, the county seat of Montgomery county, toward Hopkinsville; thus connecting

project No. 10 of the Kentucky primary road system at Dawson Springs with the primary or federal highway system of the state of Tennessee.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length having been dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	G. L. Drury	J. W. Martin
W. B. Ardery	Wm. M. Duncan	E. B. Miller
T. H. Baker	D. E. Edwards	Harry Miller
A. J. Baldridge	J. O. Evans	G. W. Morgan
J. H. Baughman	O. C. Gartin	J. L. Morgan
L. D. Bax	T. H. Golden	Wm. J. Moore
W. B. Belknap	J. E. Hadden	E. D. Morris
Homer Beliles	W. R. Haselwood	Chas. A. Nelson
C. W. Bennett	J. W. Howard	F. V. Nunnelly
J. E. Bickett	L. J. Jeter	J. J. Patterson
W. M. Boling	Hector Johnson	G. L. Perryman
J. F. Bosworth	J. Roy Johnson	V. H. Redwine
W. J. Brandenburg	A. J. Jolly	J. L. Richardson
W. B. Bush	H. J. Kegley	J. E. Robbins
Allen B. Cammack	T. H. King	Arthur Saunders
R. J. Cain	T. J. Knight	G. W. Shadoan
Sherman Chasteen	John H. Lawson	Lee L. Simons
Lee Clark	I. T. Layman	W. M. Simpson
Sam Cole	Leon P. Lewis	Geo. W. Smith
F. W. Collings	Leroy Lewis	A. W. Stamper
L. F. Coomes	Martin Light	D. D. Thornberry
J. L. Cushing	J. T. Linton	W. S. Tinsley
B. F. Day	W. J. McMurry	N. I. Toombs
J. R. Dorman	R. D. McMurtry	J. Wood Vance
E. J. Doss	J. L. Manning	C. D. Vincent

W. S. Wallen W. D. Watkins F. E. Wilson
E. C. Walker C. Westerfield

—80

There voted in the negative—

J. Will McFarlin --1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 40. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto as project —, beginning at a point on the Harrodsburg and Lexington turnpike near Russell's Cross Roads and extending to High Bridge, in Jessamine county, via Wilmore, and making the same a part of the primary system of state highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1920 be amended by adding thereto project No. —, beginning at a point on the Harrodsburg and Lexington turnpike near Russell's Cross Roads and extending to High Bridge, in Jessamine county, via Wilmore, and be made a part of the primary system of state highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
J. Roy Johnson
Hector Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leroy Lewis
Leon P. Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 42. An act to amend chapter 17 of Acts of 1920, entitled "An act relating to roads and bridges."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That, whereas, from the earliest history of road building in the Commonwealth of Kentucky, the old Maysville and Mt. Sterling turnpike has been, and yet continues to be, one of the most traveled, and most important highways in said state, affording the only direct connection between the Ohio river and the Midland Trail, the east and west highway traversing Kentucky; and, whereas, it is essential to the commerce and development of the Commonwealth that said connecting road be improved and maintained as a great public thoroughfare.

The road leading from Mt. Sterling, in Montgomery county, Kentucky, by way of Sharpsburg and Bethel, in Bath county, Sherburne, at the bridge over Licking river from Bath county to Fleming county, Flemingsburg, in Fleming county, to Maysville, in Mason county, be made a part of the

primary system of state highways of the Commonwealth of Kentucky, to be known and designated as "Fields Highway;" and the act of the General Assembly of Kentucky, approved March 16th, 1920, being chapter 17 of the Session Acts of 1920, is hereby amended by adding the said "Fields Highway" project to the projects enumerated in said act; and the construction, maintenance, supervision and control of said "Fields Highway" project from Mt. Sterling, Kentucky, to Maysville, Kentucky, shall be subject to all the terms, provisions and conditions set out in said act approved March 16th, 1920, establishing and creating a primary system of state highways, and all other laws governing the system of roads in force now or hereafter in the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	W. J. Brandenburg	F. J. Doss
W. B. Ardery	W. B. Bush	G. L. Drury
T. H. Baker	Allen B. Cammack	Wm. M. Duncan
A. J. Baldridge	R. J. Cain	D. E. Edwards
J. H. Baughman	Sherman Chasteen	J. O. Evans
L. D. Bax	Lee Clark	O. C. Gartin
W. B. Belknap	Sam Cole	T. H. Golden
Homer Beliles	F. W. Collings	J. E. Hadden
C. W. Bennett	L. F. Coomes	W. R. Haselwood
J. E. Bickett	J. L. Cushing	J. W. Howard
W. M. Boling	B. F. Day	L. J. Jeter
J. F. Bosworth	J. R. Dorman	J. Roy Johnson

Hector Johnson	Harry Miller	Lee L. Simons
A. J. Jolly	E. B. Miller	W. M. Simpson
H. J. Kegley	G. W. Morgan	Geo. W. Smith
T. H. King	J. L. Morgan	A. W. Stamper
T. J. Knight	Wm. J. Moore	D. D. Thornberry
John H. Lawson	E. D. Morris	W. S. Tinsley
I. T. Layman	Chas. A. Nelson	N. I. Toombs
Leon P. Lewis	F. V. Nunnelly	J. Wood Vance
Leroy Lewis	G. L. Perryman	C. D. Vincent
Martin Light	J. J. Patterson	W. S. Wallen
J. T. Linton	V. H. Redwine	E. C. Walker
W. J. McMurry	J. L. Richardson	W. D. Watkins
R. D. McMurtry	J. E. Robbins	C. Westerfield
J. L. Manning	Arthur Saunders	F. E. Wilson
J. W. Martin	G. W. Shadoan	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 53. An act relating to roads and bridges, and amending chapter 17 of the Acts of the General Assembly of Kentucky, 1920, by adding thereto, as project —, extending from Smithland via Calvert City, via Benton to Murray.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That chapter No. 17 of the Acts of the General Assembly of Kentucky of 1920 be amended by adding thereto and inserting just after the last named project on page 92 there the following: Project No. —, from Smithland to Murray, via Calvert City and Benton,and said road shall receive and be entitled to all the benefits allowed and provided for in said chapter 17 of said Acts of 1920.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	L. F. Coomes	T. J. Knight
W. B. Ardery	J. L. Cushing	John H. Lawson
T. H. Baker	B. F. Day	I. T. Layman
A. J. Baldridge	J. R. Dorman	Leon P. Lewis
J. H. Baughman	E. J. Doss	Leroy Lewis
L. D. Bax	G. L. Drury	Martin Light
W. B. Belknap	Wm. M. Duncan	J. T. Linton
Homer Beliles	D. E. Edwards	W. J. McMurry
C. W. Bennett	J. O. Evans	R. D. McMurtry
J. E. Bickett	O. C. Gartin	J. L. Manning
W. M. Boling	T. H. Golden	J. W. Martin
J. F. Bosworth	J. E. Hadden	E. B. Miller
W. J. Brandenburg	W. R. Haselwood	Harry Miller
W. B. Bush	J. W. Howard	G. W. Morgan
Allen B. Cammack	L. J. Jeter	J. L. Morgan
R. J. Cain	Hector Johnson	Wm. J. Moore
Sherman Chasteen	J. Roy Johnson	E. D. Morris
Lee Clark	A. J. Jolly	Chas. A. Nelson
Sam Cole	H. J. Kegley	F. V. Nunnelly
F. W. Collings	T. H. King	J. J. Patterson

G. L. Perryman	W. M. Simpson	C. D. Vincent
V. H. Redwine	Geo. W. Smith	W. S. Wallen
J. L. Richardson	A. W. Stamper	E. C. Walker
J. E. Robbins	D. D. Thornberry	W. D. Watkins
Arthur Saunders	W. S. Tinsley	C. Westerfield
G. W. Shadoan	N. I. Toombs	F. E. Wilson
Lee L. Simons	J. Wood Vance	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 59. An act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of Kentucky of 1920, by adding thereto, as project—, extending from Bowling Green to the Simpson county line, via L. & N. pike.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly of Kentucky of 1920 be amended by adding to, and inserting just after the last named project No. —, the following project No. —, from Bowling Green to the Simpson county line, via the old L. & N. pike.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 64. An act establishing as a state primary road the road known as the Edmonton and Burkesville road from Edmonton, in Metcalfe county, to its intersection with the road leading from Glasgow to Burkesville, in Cumberland county, which is project 40.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of state highways and to be designated and known as project No. 40-A, the road known as the Edmonton and Burkesville road from Edmonton, in Metcalfe county, to its intersection with the road leading from Glasgow to Burkesville, in Cumberland county, which is project No. 40. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the primary system of state highways.

§ 2. Said project shall be designated and known as project No. 40-A.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 72. An act relating to public roads.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and is hereby established as a part of the primary system of public roads in the Commonwealth, the following route between Frankfort, Franklin county, Kentucky, to New Castle, Henry county, Kentucky, county seats of said respective counties, same to be known as project 64½, as follows, to wit:

Project 64½. From Frankfort to Honeysuckle, to Bald Knob, to Bailey's Mill, to Pleasant View, all in Franklin county, then to DeFoe, to Pleasureville, to New Castle, latter named in Henry county.

Said road to be establishd and maintained as provided in chapter 17, Acts 1920, and entitled to all benefits presented therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	D. E. Edwards	J. L. Morgan
W. B. Ardery	J. O. Evans	Wm. J. Moore
T. H. Baker	O. C. Gartin	E. D. Morris
A. J. Baldridge	T. H. Golden	Chas. A. Nelson
J. H. Baughman	J. E. Hadden	F. V. Nunnelly
L. D. Bax	W. R. Haselwood	J. J. Patterson
W. B. Belknap	J. W. Howard	G. L. Perryman
Homer Beliles	L. J. Jeter	V. H. Redwine
C. W. Bennett	Hector Johnson	J. L. Richardson
J. E. Bickett	J. Roy Johnson	J. E. Robbins
W. M. Boling	A. J. Jolly	Arthur Saunders
J. F. Bosworth	H. J. Kegley	G. W. Shadoan
W. J. Brandenburg	T. H. King	Lee L. Simons
W. B. Bush	T. J. Knight	W. M. Simpson
Allen B. Cammack	John H. Lawson	Geo. W. Smith
R. J. Cain	I. T. Layman	A. W. Stamper
Sherman Chasteen	Leon P. Lewis	D. D. Thornberry
Lee Clark	Leroy Lewis	W. S. Tinsley
Sam Cole	Martin Light	N. I. Toombs
F. W. Collings	J. T. Linton	J. Wood Vance
L. F. Coomes	W. J. McMurry	C. D. Vincent
J. L. Cushing	R. D. McMurtry	W. S. Wallen
B. F. Day	J. L. Manning	E. C. Walker
J. R. Dorman	J. W. Martin	W. D. Watkins
E. J. Doss	E. B. Miller	C. Westerfield
G. L. Drury	Harry Miller	F. E. Wilson
Wm. M. Duncan	G. W. Morgan	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 73. An act to amend and re-enact an act relating to roads and bridges, in order to clarify section 5, project 21½ of chapter 17 of the Acts of the General Assembly of 1920.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section five (5) of chapter seventeen (17) of the Acts of the General Assembly of nineteen hundred and twenty (1920) be and the same is hereby amended and re-enacted by striking out project twenty-one and a half (21½) after the words Lenoxburg to Caddo, the following words, "to the most feasible point on project No. twenty-one (21)" and adding in lieu thereof the following words, "to intersect road project No. twenty-one (21) at Alexandria, via Peach Grove, Wesley Chapel and Flag Springs."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled.

S. B. 77. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways, and to amend chapter 95 of the Acts of the General Assembly of 1920, which is amendatory of the aforesaid section 4356t-5 of Kentucky Statutes, establishing project 10C and to re-create project 10C.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways and chapter 95 of the Acts of the General Assembly of 1922, which is an amendment to said chapted 5 of chapter 17, all be and the same are hereby amended so as to recreate said project No. 10C, which is a road from Princeton to Hopkinsville, which connects there with project No. 2, and by merging into it so much of project No. 10 as consists of a road from Princeton to Marion, the same being now under construction and by extending said through Marion to a point on the Ohio river in Crittenden county at or near or between Cave-in-Rock landing and Fords Ferry, thus providing a continuous and direct roadway connecting the primary road system of the states of Illinois, Kentucky and Tennessee.

So that said project No. 10C, as amended and recreated will be as follows:

Project No. 10C—From Hopkinsville to a point on the Ohio river in Crittenden county, at or near or between Cave-in-Rock landing and Fords Ferry, via Princeton and Marion.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 75. An act relating to roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonealth of Kentucky:

(1) That there be and now is established as a part of the primary road system of the Commonwealth the following to be designated as project No. —, as follows:

Beginning at Elizabethtown at the intersection of project No. 11, thence to Bardstown, following the present route, and intersecting with project No. 3, at Bardstown.

(2) Said project thus established to be and become a part of the primary system of roads in this state and be entitled to all benefits and subject to all laws now or hereafter in force with relation to same.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	D. E. Edwards	J. L. Morgan
W. B. Ardery	J. O. Evans	Wm. J. Moore
T. H. Baker	O. C. Gartin	E. D. Morris
A. J. Baldridge	T. H. Golden	Chas. A. Nelson
J. H. Baughman	J. E. Hadden	F. V. Nunnelly
L. D. Bax	W. R. Haselwood	J. J. Patterson
W. B. Belknap	J. W. Howard	G. L. Perryman
Homer Beliles	L. J. Jeter	V. H. Redwine
C. W. Bennett	Hector Johnson	J. L. Richardson
J. E. Bickett	J. Roy Johnson	J. E. Robbins
W. M. Boling	A. J. Jolly	Arthur Saunders
J. F. Bosworth	H. J. Kegley	G. W. Shadoan
W. J. Brandenburg	T. H. King	Lee L. Simons
W. B. Bush	T. J. Knight	W. M. Simpson
Allen B. Cammack	John H. Lawson	Geo. W. Smith
R. J. Cain	I. T. Layman	A. W. Stamper
Sherman Chasteen	Leon P. Lewis	D. D. Thornberry
Lee Clark	Leroy Lewis	W. S. Tinsley
Sam Cole	Martin Light	N. I. Toombs
F. W. Collings	J. T. Linton	J. Wood Vance
J. L. Cushing	W. J. McMurry	C. D. Vincent
L. F. Coomes	R. D. McMurtry	W. S. Wallen
B. F. Day	J. L. Manning	E. C. Walker
J. R. Dorman	J. W. Martin	W. D. Watkins
E. J. Doss	E. B. Miller	C. Westerfield
G. L. Drury	Harry Miller	F. E. Wilson
Wm. M. Duncan	G. W. Morgan	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 84. An act establishing and making the road leading from Paducah, via Sharpe, Palma to Benton a part of the primary system of state highways of the Commonwealth of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Paducah, in McCracken county, Kentucky, via Sharpe, Palma, to Benton, in Marshall county, be and the same is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, and the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17, page 76 of the Acts of 1920 establishing and creating a primary system of state highways.

§ 2. Said road shall be designated as project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the thir dreading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 85. An act relating to roads and bridges and amending chapter 17 of the Acts, 1920, by adding theretc project —, beginning at Barlow, in Ballard county, and extending to Holloway Landing, in Ballard county, on the Ohio river, opposite Mound City, Illinois, and making the same a part of the state primary system of highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1920 be amended by adding thereto at the end thereof project No. —, beginning at Barlow, in Ballard county, and extending to Holloway Landing, on the Ohio river, opposite Mound City, Illinois, and be made a part of the primary system of state highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	J. H. Baughman	C. W. Bennett
W. B. Ardery	L. D. Bax	J. E. Bickett
T. H. Baker	W. B. Belknap	W. M. Boling
A. J. Baldridge	Homer Beliles	J. F. Bosworth

W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
J. L. Morgan
G. W. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said mbtion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 105. An act establishing the road leading from La-Grange by way of Buckner, Pewee Valley and O'Bannon to

Anchorage, and thence following the federal primary project to Middletown, where it connects with the state primary route 17, and making the same a part of the primary system of state highways of the Commonwealth of Kentucky, and designating said road as project 19½.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

(1) That the road leading from LaGrange, in Oldham county, Kentucky, by way of Buckner, Crestwood, Pewee Valley and Obannon to Anchorage, and thence following the same federal primary project to Middletown, Jefferson county, Kentucky, where it connects with the state primary route No. 17, be and the same is hereby established as a part of the primary system of the state highways of the Commonwealth of Kentucky, and the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17, page 76, of the Acts of 1920, establishing and creating a primary system of State Highways.

(2) Said road shall be designated as project No. 19½.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	T. H. Baker	J. H. Baughman
W. B. Ardery	A. J. Baldridge	L. D. Bax

W. B. Belknap	J. E. Hadden	E. D. Morris
Homer Beliles	W. R. Haselwood	Chas. A. Nelson
C. W. Bennett	J. W. Howard	F. V. Nunnelly
J. E. Bickett	L. J. Jeter	J. J. Patterson
W. M. Boling	Hector Johnson	G. L. Perryman
J. F. Bosworth	J. Roy Johnson	V. H. Redwine
W. J. Brandenburg	A. J. Jolly	J. L. Richardson
W. B. Bush	H. J. Kegley	J. E. Robbins
Allen B. Cammack	T. H. King	Arthur Saunders
R. J. Cain	T. J. Knight	G. W. Shadoan
Sherman Chasteen	John H. Lawson	Lee L. Simons
Lee Clark	I. T. Layman	W. M. Simpson
Sam Cole	Leon P. Lewis	Geo. W. Smith
F. W. Collings	Leroy Lewis	A. W. Stamper
L. F. Coomes	Martin Light	D. D. Thornberry
J. L. Cushing	J. T. Linton	W. S. Tinsley
B. F. Day	W. J. McMurry	N. I. Toombs
J. R. Dorman	R. D. McMurtry	J. Wood Vance
E. J. Doss	J. L. Manning	C. D. Vincent
G. L. Drury	J. W. Martin	W. S. Wallen
Wm. M. Duncan	E. B. Miller	E. C. Walker
D. E. Edwards	Harry Miller	W. D. Watkins
J. O. Evans	G. W. Morgan	C. Westerfield
O. C. Gartin	J. L. Morgan	F. E. Wilson
T. H. Golden	Wm. J. Moore	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 106. An act establishing a road leading from project 22, at Whitley City, McCreary county, Kentucky, to and intersecting with project 27, at Monticello, Wayne county, and to be designated as project 22B of primary system of state highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road leading from project No. 22 at Whitley City, McCreary county, Kentucky, to and intersecting with project No. 27, at Monticello, Wayne county, and to be designated as project No. 22B; construction, maintenance, supervision and control of said road shall be subject to all of the terms and conditions of the primary system of state highways as set out in chapter 17 of Acts of 1920.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	Homer Beliles	Allen B. Cammack
W. B. Ardery	C. W. Bennett	R. J. Cain
T. H. Baker	J. E. Bickett	Sherman Chasteen
A. J. Baldridge	W. M. Boling	Lee Clark
J. H. Baughman	J. F. Bosworth	Sam Cole
L. D. Bax	W. J. Brandenburg	F. W. Collings
W. B. Belknap	W. B. Bush	L. F. Coomes

J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
G. W. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 11. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto, as project —, extending from state project 8 to the Ohio river.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly of Kentucky of 1920 be amended by adding to, and inserting just after the last named project No. —, on page 92 hereof, the following:

"Project No. —, from an intersection point on project No. 8, approximately 2½ miles east of Owensboro, thence following the boundary lines (as now located) between the lands of Osborn and Gertison in a northerly direction to the bank of the Ohio river, a distance of approximately 900 yards."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	W. B. Bush	Wm. M. Duncan
W. B. Ardery	Allen B. Cammack	D. E. Edwards
T. H. Baker	R. J. Cain	J. O. Evans
A. J. Baldridge	Sherman Chasteen	O. C. Gartin
J. H. Baughman	Lee Clark	T. H. Golden
L. D. Bax	Sam Cole	J. E. Hadden
W. B. Belknap	F. W. Collings	W. R. Haselwood
Homer Beliles	L. F. Coomes	J. W. Howard
C. W. Bennett	J. L. Cushing	L. J. Jeter
J. E. Bickett	B. F. Day	Hector Johnson
W. M. Boling	J. R. Dorman	J. Roy Johnson
J. F. Bosworth	E. J. Doss	A. J. Jolly
W. J. Brandenburg	G. L. Drury	H. J. Kegley

T. H. King	G. W. Morgan	W. M. Simpson
T. J. Knight	J. L. Morgan	Geo. W. Smith
John H. Lawson	Wm. J. Moore	A. W. Stamper
I. T. Layman	E. D. Morris	D. D. Thornberry
Leon P. Lewis	Chas. A. Nelson	W. S. Tinsley
Leroy Lewis	F. V. Nunnelly	N. I. Toombs
Martin Light	J. J. Patterson	J. Wood Vance
J. T. Linton	G. L. Perryman	C. D. Vincent
W. J. McMurry	V. H. Redwine	W. S. Wallen
R. D. McMurtry	J. L. Richardson	E. C. Walker
J. L. Manning	J. E. Robbins	W. D. Watkins
J. W. Martin	Arthur Saunders	C. Westerfield
E. B. Miller	G. W. Shadoan	F. E. Wilson
Harry Miller	Lee L. Simons	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 147. An act relating to roads and bridges.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road from Louisville, Kentucky, to Elizabeth-

town, Kentucky, by way of Shepherdsville and Lebanon Junction, Bullitt county.

§ 2. This said project shall be designated and known as project No. 46a.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	E. J. Doss	R. D. McMurtry
W. B. Ardery	G. L. Drury	J. L. Manning
T. H. Baker	Wm. M. Duncan	J. W. Martin
A. J. Baldridge	D. E. Edwards	Harry Miller
J. H. Baughman	J. O. Evans	E. B. Miller
L. D. Bax	O. C. Gartin	G. W. Morgan
W. B. Belknap	T. H. Golden	J. L. Morgan
Homer Beliles	J. E. Hadden	Wm. J. Moore
C. W. Bennett	W. R. Haselwood	E. D. Morris
J. E. Bickett	J. W. Howard	Chas. A. Nelson
W. M. Boling	L. J. Jeter	F. V. Nunnelly
J. F. Bosworth	Hector Johnson	J. J. Patterson
W. J. Brandenburg	J. Roy Johnson	G. L. Perryman
W. B. Bush	A. J. Jolly	V. H. Redwine
Allen B. Cammack	H. J. Kegley	J. L. Richardson
R. J. Cain	T. H. King	J. E. Robbins
Sherman Chasteen	T. J. Knight	Arthur Saunders
Lee Clark	John H. Lawson	G. W. Shadoan
Sam Cole	I. T. Layman	Lee L. Simons
F. W. Collings	Leon P. Lewis	W. M. Simpson
L. F. Coomes	Leroy Lewis	Geo. W. Smith
J. L. Cushing	Martin Light	A. W. Stamper
B. F. Day	J. T. Linton	D. D. Thornberry
J. R. Dorman	W. J. McMurry	W. S. Tinsley

N. I. Toombs	W. S. Wallen	C. Westerfield
J. Wood Vance	E. C. Walker	F. E. Wilson
C. D. Vincent	W. D. Watkins	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 113. An act relating to roads and bridges, amendings Acts of March 16, 1920.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That project 46 of an act approved March 16, 1920, entitled "An act relating to roads and bridges, etc," and being chapter 17 of the Acts of 1920, be and the same is hereby amended and revised so as to read as follows:

Project 46—From Carrollton to Taylorsville, by way of New Castle and Shelbyville.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	D. E. Edwards	J. L. Morgan
W. B. Ardery	J. O. Evans	Wm. J. Moore
T. H. Baker	O. C. Gartin	E. D. Morris
A. J. Baldridge	T. H. Golden	Chas. A. Nelson
J. H. Baughman	W. R. Haselwood	F. V. Nunnelly
L. D. Bax	J. E. Hadden	J. J. Patterson
W. B. Belknap	J. W. Howard	G. L. Perryman
Homer Beliles	L. J. Jeter	V. H. Redwine
C. W. Bennett	Hector Johnson	J. L. Richardson
J. E. Bickett	J. Roy Johnson	J. E. Robbins
W. M. Boling	A. J. Jolly	Arthur Saunders
J. F. Bosworth	H. J. Kegley	G. W. Shadoan
W. J. Brandenburg	T. H. King	Lee L. Simons
W. B. Bush	T. J. Knight	W. M. Simpson
Allen B. Cammack	John H. Lawson	Geo. W. Smith
R. J. Cain	I. T. Layman	A. W. Stamper
Sherman Chasteen	Leon P. Lewis	D. D. Thornberry
Lee Clark	Leroy Lewis	W. S. Tinsley
Sam Cole	Martin Light	N. I. Toombs
F. W. Collings	J. T. Linton	J. Wood Vance
L. F. Coomes	W. J. McMurry	C. D. Vincent
J. L. Cushing	R. D. McMurtry	W. S. Wallen
B. F. Day	J. L. Manning	E. C. Walker
J. R. Dorman	J. W. Martin	W. D. Watkins
E. J. Doss	E. B. Miller	C. Westerfield
G. L. Drury	Harry Miller	F. E. Wilson
Wm. M. Duncan	G. W. Morgan	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 114. An act establishing and making the road leading from Dam 38, Bellevue, via Burlington, the county seat of Boone county, Kentucky, to Florence, in Boone county, Kentucky, a part of the primary system of state highways of the Commonwealth of Kentucky, and designating said road as project 5A-1.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Dam 38, Bellevue, via Burlington, in Boone county, Kentucky, to Florence, in Boone county, Kentucky, and there connecting with the Dixie Highway, project No. 5, be and the same is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, and the construction, reconstruction, maintenance, supervision and control of said road shall be subject to the terms and conditions set out and provided for in chapter 17, page 76, Acts of 1920, establishing and creating a primary system of state highways.

§ 2. Said road shall be designated as project No. 5A-1.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	D. E. Edwards	J. L. Morgan
W. B. Ardery	J. O. Evans	Wm. J. Moore
T. H. Baker	O. C. Gartin	E. D. Morris
A. J. Baldridge	T. H. Golden	Chas. A. Nelson
J. H. Baughman	J. E. Hadden	F. V. Nunnelly
L. D. Bax	W. R. Haselwood	J. J. Patterson
W. B. Belknap	J. W. Howard	G. L. Perryman
Homer Beliles	L. J. Jeter	V. H. Redwine
C. W. Bennett	Hector Johnson	J. L. Richardson
J. E. Bickett	J. Roy Johnson	J. E. Robbins
W. M. Boling	A. J. Jolly	Arthur Saunders
J. F. Bosworth	H. J. Kegley	G. W. Shadoan
W. J. Brandenburg	T. H. King	Lee L. Simons
W. B. Bush	T. J. Knight	W. M. Simpson
Allen B. Cammack	John H. Lawson	Geo. W. Smith
R. J. Cain	I. T. Layman	A. W. Stamper
Sherman Chasteen	Leon P. Lewis	D. D. Thornberry
Lee Clark	Leroy Lewis	W. S. Tinsley
Sam Cole	Martin Light	N. I. Toombs
F. W. Collings	J. T. Linton	J. Wood Vance
L. F. Coomes	W. J. McMurry	C. D. Vincent
J. L. Cushing	R. D. McMurtry	W. S. Wallen
B. F. Day	J. L. Manning	E. C. Walker
J. R. Dorman	J. W. Martin	W. D. Watkins
E. J. Doss	E. B. Miller	C. Westerfield
G. L. Drury	Harry Miller	F. E. Wilson
Wm. M. Duncan	G. W. Morgan	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 118. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920; by adding thereto, as project —, extending from Lancaster to Crab Orchard.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly of Kentucky of 1920 be enacted by adding to, and inserting just after the last named project No. —, on page 92 thereof, the following:

"Project No. —, from Lancaster, in Garrard county, to Crab Orchard, in Lincoln county, by the most direct and feasible route."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	L. D. Bax	W. M. Boling
W. B. Ardery	W. B. Belknap	J. F. Bosworth
T. H. Baker	Homer Beliles	W. J. Brandenburg
A. J. Baldridge	C. W. Bennett	W. B. Bush
J. H. Baughman	J. E. Bickett	Allen B. Cammack

R. J. Cain	A. J. Jolly	J. J. Patterson
Sherman Chasteen	H. J. Kegley	G. L. Perryman
Lee Clark	T. H. King	V. H. Redwine
Sam Cole	T. J. Knight	J. E. Robbins
F. W. Collings	John H. Lawson	Arthur Saunders
L. F. Coomes	I. T. Layman	G. W. Shadoan
J. L. Cushing	Leon P. Lewis	Lee L. Simons
B. F. Day	Leroy Lewis	W. M. Simpson
J. R. Dorman	Martin Light	Geo. W. Smith
E. J. Doss	J. T. Linton	A. W. Stamper
G. L. Drury	W. J. McMurry	D. D. Thornberry
Wm. M. Duncan	R. D. McMurtry	W. S. Tinsley
D. E. Edwards	J. L. Manning	N. I. Toombs
J. O. Evans	J. W. Martin	J. Wood Vance
O. C. Gartin	E. B. Miller	C. D. Vincent
T. H. Golden	Harry Miller	W. S. Wallen
J. E. Hadden	G. W. Morgan	E. C. Walker
W. R. Haselwood	J. L. Morgan	W. D. Watkins
J. W. Howard	Wm. J. Moore	C. Westerfield
L. J. Jeter	E. D. Morris	F. E. Wilson
Hector Johnson	Chas. A. Nelson	
J. Roy Johnson	F. V. Nunnelly	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 139. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of Kentucky of 1920, which

is now section 4356t-5 of Kentucky Statutes, by Carroll, 1922 edition, relating to roads and bridges, and establishing a system of primary roads for the state of Kentucky and making provisions for the establishment, construction and maintenance of the same.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section five of chapter 17 of the Acts of the General Assembly of Kentucky, of 1920, which is now section 4356t-5 of Kentucky Statutes, by Carroll, 1922 edition, be amended by adding thereto a project beginning at Olive Hill, in Carter county, a point on the Midland Trail, of project No. 47 of the primary road system of Kentucky, and going through Greenup county, to Fullerton, via Carter and Kehoe, and said project shall be known as project No. 47A of the primary road system of Kentucky, said project shall be a part of said act and section above mentioned, and the act and section above mentioned shall read as at present down to the end of project No. 47, at which point, project 47A shall be inserted and read:

Project 47A. From Olive Hill, in Carter county, a point on the Midland Trail, or project No. 47 of the primary system of Kentucky and going through Greenup county to Fullerton, via Carter and Kehoe.

After which shall follow project No. 48 and all other parts as now set forth in said act or section following said project 47 in its present form.

§ 2. The construction, maintenance, supervision and control of road shall be subject to all the terms and conditions set out and provided for the General Assembly of 1920 and section 4356t-5, Kentucky Statutes, by Carroll, 1922 edition, establishing and creating a primary system of state highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	D. E. Edwards	J. L. Morgan
W. B. Ardery	J. O. Evans	Wm. J. Moore
T. H. Baker	O. C. Gartin	E. D. Morris
A. J. Baldridge	T. H. Golden	Chas. A. Nelson
J. H. Baughman	J. E. Hadden	F. V. Nunnelly
L. D. Bax	W. R. Haselwood	J. J. Patterson
W. B. Belknap	J. W. Howard	G. L. Perryman
Homer Beliles	L. J. Jeter	V. H. Redwine
C. W. Bennett	Hector Johnson	J. L. Richardson
J. E. Bickett	J. Roy Johnson	J. E. Robbins
W. M. Boling	A. J. Jolly	Arthur Saunders
J. F. Bosworth	H. J. Kegley	G. W. Shadoan
W. J. Brandenburg	T. H. King	Lee L. Simons
W. B. Bush	T. J. Knight	W. M. Simpson
Allen B. Cammack	John H. Lawson	Geo. W. Smith
R. J. Cain	I. T. Layman	A. W. Stamper
Sherman Chasteen	Leon P. Lewis	D. D. Thornberry
Lee Clark	Leroy Lewis	W. S. Tinsley
Sam Cole	Martin Light	N. I. Toombs
F. W. Collings	J. T. Linton	J. Wood Vance
L. F. Coomes	W. J. McMurry	C. D. Vincent
J. L. Cushing	R. D. McMurtry	W. S. Wallen
B. F. Day	J. L. Manning	E. C. Walker
J. R. Dorman	J. W. Martin	W. D. Watkins
E. J. Doss	E. B. Miller	C. Westerfield
G. L. Drury	Harry Miller	F. E. Wilson
Wm. M. Duncan	G. W. Morgan	

—80

There voted in the negative—

J. Will McFarlin

—1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 142. An act to amend chapter 17 of the Acts of 1920 by adding thereto project —, extending from Hawesville, by way of Patesville, to a point on project 12, near Fordsville.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly for the year 1920 be amended by adding thereto and inserting just after the last named project No. —, on page 92 thereof the following: "Project No. —, from Hawesville on project No. 8 by way of Patesville to a point on project No. 12, near Fordsville."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leroy Lewis
Leon P. Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 143. An act to amend chapter 17 of the Acts of 1920 by adding project —, extending from Garfield, on project 8, to Cecelia, on project 12, by way of Custer, Dyer and Constantine.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly of Kentucky for the year 1920 be amended by adding thereto and inserting just after the last named project No. —, on page 92 thereof, the following:

"Project No. —, extending from Garfield, on project No. 8, to Cecelia, on project No. 12, by the way of Custer, Dyer and Constantine."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	W. B. Belknap	W. J. Brandenburg
W. B. Ardery	Homer Beliles	W. B. Bush
T. H. Baker	C. W. Bennett	R. J. Cain
A. J. Baldridge	J. E. Bickett	Allen B. Cammack
J. H. Baughman	W. M. Boling	R. J. Cain
L. D. Bax	J. F. Bosworth	Sherman Chasteen

Lee Clark	H. J. Kegley	J. J. Patterson
Sam Cole	T. H. King	G. L. Perryman
F. W. Collings	T. J. Knight	V. H. Redwine
L. F. Coomes	John H. Lawson	J. L. Richardson
J. L. Cushing	I. T. Layman	J. E. Robbins
B. F. Day	Leon P. Lewis	Arthur Saunders
J. R. Dorman	Leroy Lewis	G. W. Shadoan
E. J. Doss	Martin Light	Lee L. Simons
G. L. Drury	J. T. Linton	W. M. Simpson
Wm. M. Duncan	W. J. McMurry	Geo. W. Smith
D. E. Edwards	R. D. McMurtry	A. W. Stamper
J. O. Evans	J. L. Manning	D. D. Thornberry
O. C. Gartin	J. W. Martin	W. S. Tinsley
T. H. Golden	E. B. Miller	N. I. Toombs
J. E. Hadden	Harry Miller	J. Wood Vance
W. R. Haselwood	G. W. Morgan	C. D. Vincent
J. W. Howard	J. L. Morgan	W. S. Wallen
L. J. Jeter	Wm. J. Moore	E. C. Walker
Hector Johnson	E. D. Morris	W. D. Watkins
J. Roy Johnson	Chas. A. Nelson	C. Westerfield
A. J. Jolly	F. V. Nunnelly	F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 148. An act to amend section 5 of section 17, of the Acts of the General Assembly of 1920, which is section

4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways, and establishing and creating project 2½.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways, shall be and same is hereby amended so as to create and establish project 2½, which is a road leading from Ashbyburg, Hopkins county, Kentucky, through Webster county, Kentucky, via Onton, via Sebree, via Poole, or Wanamaker, via Dixon, via Clay, to a point at or near Sullivan, Kentucky, connecting with a federal highway from Louisville, Kentucky, to Smithland and Paducah, Kentucky.

So that said project No. 2½, as established and created, will be as follows:

"Project No. 2½.—From Ashbyburg, Hopkins county, Kentucky, through Webster county, Kentucky, via Onton, via Sebree, via Poole, or Wanamaker, via Dixon, via Clay, to a point at or near Sullivan, Union county, Kentucky, connecting with a federal highway from Louisville, Kentucky, to Smithland and Paducah, Kentucky."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 157. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto, as project 40-A, extending from Morehead, by way of Sandy Hook, to Louisa.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly of Kentucky of 1920 be amended by adding to, and inserting just after the last named project No. —, on page 92 thereof, the following:

"Project No. 49A, beginning at Morehead, in project No. 47, and thence by way of Sandy Hook to Louisa, intersecting project No. 6 at that point."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	L. D. Bax	W. M. Boling
W. B. Ardery	W. B. Belknap	J. F. Bosworth
T. H. Baker	Homer Beliles	W. J. Brandenburg
A. J. Baldridge	C. W. Bennett	W. B. Bush
J. H. Baughman	J. E. Bickett	Allen B. Cammack

R. J. Cain	A. J. Jolly	J. J. Patterson
Sherman Chasteen	H. J. Kegley	G. L. Perryman
Lee Clark	T. H. King	V. H. Redwine
Sam Cole	T. J. Knight	J. L. Richardson
F. W. Collings	John H. Lawson	J. E. Robbins
L. F. Coomes	I. T. Layman	Arthur Saunders
J. L. Cushing	Leon P. Lewis	G. W. Shadoan
B. F. Day	Leroy Lewis	Lee L. Simons
J. R. Dorman	Martin Light	W. M. Simpson
E. J. Doss	J. T. Linton	Geo. W. Smith
G. L. Drury	W. J. McMurry	A. W. Stamper
Wm. M. Duncan	R. D. McMurtry	D. D. Thornberry
D. E. Edwards	J. L. Manning	W. S. Tinsley
J. O. Evans	J. W. Martin	N. I. Toombs
O. C. Gartin	E. B. Miller	J. Wood Vance
T. H. Golden	Harry Miller	C. D. Vincent
J. E. Hadden	G. W. Morgan	W. S. Wallen
W. R. Haselwood	J. L. Morgan	E. C. Walker
J. W. Howard	Wm. J. Moore	W. D. Watkins
L. J. Jeter	E. D. Morris	C. Westerfield
Hector Johnson	Chas. A. Nelson	F. E. Wilson
J. Roy Johnson	F. V. Nunnelly	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 168. An act to establish project No. 6½ in the primary system of state highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. From the intersection of project No. 6, at or near the mouth of Shelby creek, Pike county, Kentucky, and thence up the Levisa Fork of Big Sandy to the forks; and thence up the Levisa Fork of said river (or left-hand fork as you go up the river) to mouth or near mouth of Grapevine creek, and thence the most feasible route to the state line between Kentucky and Virginia, at or near State Line Branch, just above Hackney's Branch, of Levisa Fork, is to be hereby designated as project No. 6½ of the primary system of state highways, set out in chapter 17 of the Acts of 1920.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	W. M. Boling	L. F. Coomes
W. B. Ardery	J. F. Bosworth	J. L. Cushing
T. H. Baker	W. J. Brandenburg	B. F. Day
A. J. Baldridge	W. B. Bush	J. R. Dorman
J. H. Baughman	Allen B. Cammack	E. J. Doss
L. D. Bax	R. J. Cain	G. L. Drury
W. B. Belknap	Sherman Chasteen	Wm. M. Duncan
Homer Beliles	Lee Clark	D. E. Edwards
C. W. Bennett	Sam Cole	J. O. Evans
J. E. Bickett	F. W. Collings	O. C. Gartin

T. H. Golden	J. L. Manning	Arthur Saunders
J. E. Hadden	J. W. Martin	G. W. Shadoan
W. R. Haselwood	W. J. McMurry	Lee L. Simons
J. W. Howard	R. D. McMurtry	W. M. Simpson
L. J. Jeter	E. B. Miller	Geo. W. Smith
Hector Johnson	Harry Miller	A. W. Stamper
J. Roy Johnson	G. W. Morgan	D. D. Thornberry
A. J. Jolly	J. L. Morgan	W. S. Tinsley
H. J. Kegley	Wm. J. Moore	N. I. Toombs
T. H. King	E. D. Morris	J. Wood Vance
T. J. Knight	Chas. A. Nelson	C. D. Vincent
John H. Lawson	F. V. Nunnelly	W. S. Wallen
I. T. Layman	J. J. Patterson	E. C. Walker
Leon P. Lewis	G. L. Perryman	W. D. Watkins
Leroy Lewis	V. H. Redwine	C. Westerfield
Martin Light	J. L. Richardson	F. E. Wilson
J. T. Linton	J. E. Robbins	—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 169. An act to establish project No. 28½ in the primary system of state highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. From the intersection of project No. 28, at or near Lackey, Floyd county, Kentucky, and thence down Right Beaver creek to the forks thereof, and thence down Beaver creek to the junction with Big Sandy river, or thereabouts, and to intersect with project No. 6, or Mayo Trail, is to and is hereby designated as project No. 28½ of the primary system of state highways set out in chapter 17 of the Acts of 1920.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	Sherman Chasteen	W. R. Haselwood
W. B. Ardery	Lee Clark	J. W. Howard
T. H. Baker	Sam Cole	L. J. Jeter
A. J. Baldridge	F. W. Collings	Hector Johnson
J. H. Baughman	L. F. Coomes	J. Roy Johnson
L. D. Bax	J. L. Cushing	A. J. Jolly
W. B. Belknap	B. F. Day	H. J. Kegley
Homer Beliles	J. R. Dorman	T. H. King
C. W. Bennett	E. J. Doss	T. J. Knight
J. E. Bickett	G. L. Drury	John H. Lawson
W. M. Boling	Wm. M. Duncan	I. T. Layman
J. F. Bosworth	D. E. Edwards	Leon P. Lewis
W. J. Brandenburg	J. O. Evans	Leroy Lewis
W. B. Bush	O. C. Gartin	J. T. Linton
Allen B. Cammack	T. H. Golden	W. J. McMurry
R. J. Cain	J. E. Hadden	R. D. McMurtry

J. L. Manning	G. L. Perryman	D. D. Thornberry
J. W. Martin	V. H. Redwine	W. S. Tinsley
E. B. Miller	J. L. Richardson	N. I. Toombs
Harry Miller	J. E. Robbins	J. Wood Vance
G. W. Morgan	Arthur Saunders	C. D. Vincent
J. L. Morgan	G. W. Shadoan	W. S. Wallen
Wm. J. Moore	Lee L. Simons	E. C. Walker
E. D. Morris	W. M. Simpson	W. D. Watkins
Chas. A. Nelson	Geo. W. Smith	C. Westerfield
F. V. Nunnelly	A. W. Stamper	F. E. Wilson
J. J. Patterson		

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 177. An act to amend project No. 8 of chapter 17 of the Acts of the General Assembly of 1920, relating to roads and bridges and road projects.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That project No. 8, contained in chapter 17 of the Acts of the General Assembly of 1920, be amended by adding after the word "Paducah," a comma instead of a period, and

the following words: "to Kevil, to LaCenter, to Barlow, to Wickliffe," so that said project No. 8, in said act as amended will read as follows:

Project No. 8.—From Louisville to Wickliffe, via West Point, Tiptop, Bradenburg, Hardinsburg, Hawesville, Owensboro, Henderson, Morganfield, Marion, Smithland, to Paducah, thence to Kevil, to LaCenter, to Barlow and on to Wickliffe.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leroy Lewis
Leon P. Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris

Chas. A. Nelson	G. W. Shadoan	J. Wood Vance
F. V. Nunnelly	Lee L. Simons	C. D. Vincent
J. J. Patterson	W. M. Simpson	W. S. Wallen
G. L. Perryman	Geo. W. Smith	E. C. Walker
V. H. Redwine	A. W. Stamper	W. D. Watkins
J. L. Richardson	D. D. Thornberry	C. Westerfield
J. E. Robbins	W. S. Tinsley	F. E. Wilson
Arthur Saunders	N. I. Toombs	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 182. An act to establish project No. 6¾ in the primary system of state highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. From the intersection of project No. 6, known as the Mayo Trail, at or near the mouth of Shelby creek, Pike county, Kentucky, and thence up Levisa Fork of Big Sandy to the forks thereof; and thence up the Russell's Fork of Big Sandy via Elkhorn City to the state line between Kentucky and Virginia, near the mouth of Grassy creek, is to be and

is hereby designated as project No. 6¾ of the primary system of state highways, set out in chapter 17 of the Acts of 1920.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
J. W. Martin
J. L. Manning
W. J. McMurry
R. D. McMurtry
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan

Lee L. Simons	W. S. Tinsley	E. C. Walker
W. M. Simpson	N. I. Toombs	W. D. Watkins
Geo. W. Smith	J. Wood Vance	C. Westerfield
A. W. Stamper	C. D. Vincent	F. E. Wilson
D. D. Thornberry	W. S. Wallen	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for sonsideration from the Orders of the Day a bill entitled:

S. B. 183. An act to establish project No. 39½ in the primary system of state highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. From a point at or near Meta, Pike county, Kentucky, on Johns creek, at the intersection between state project No. 36 and state project 39, and thence up Johns creek to head of road fork of Peter creek; and thence down road fork of Peter creek to the forks thereof, and thence down Peter creek to the bridge across Tug river on the line between Kentucky and West Virginia, near Edgerton, P. O., W. Va., is to be and is hereby designated as Project No.

39½ of the primary system of state highways, set out in chapter 17, Acts of General Assembly of 1920.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
Harry Miller
E. B. Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith

A. W. Stamper	J. Wood Vance	W. D. Watkins
D. D. Thornberry	C. D. Vincent	C. Westerfield
W. S. Tinsley	W. S. Wallen	F. E. Wilson
N. I. Toombs	E. C. Walker	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 189. An act to amend section 5 of chapter 17 of the Acts of the General Assembly, 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways and establishing and creating project No. —.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 5 of chapter 17 of the Acts of the General Assembly of 1920, which is section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways, be and the same is hereby amended so as to create and establish project No. 2½, which is a road leading from Calhoun, in McLean county, to Sebree, in Webster county, by way of Beech Grove, which project will connect with project No. 2

at or near Sebree, and which will afford a continuous route from Dixon, in Webster county, to Calhoun, in McLean county.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
J. F. Bosworth
W. M. Boling
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 192. An act to amend chapter 17 of the Acts of the General Assembly of 1920 relating to roads and bridges.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There shall be added to the primary system of state highways as defined in section 5 of the Acts as provided in chapter 17 of the Acts of the General Assembly of 1920 the following project:

From Somerset, Pulaski county, to London, Laurel Laurel county, by way of Mark Shopville, Stab and Acorn.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 203. An act to establish project No. 68 in the primary system of state highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That beginning at the Ohio river, in the city of Maysville, thence by the turnpike road to Flemingsburg, and from there as near straight as possible, taking into consideration the people served and the expense of building same, to the Midland Trail at Morehead; thence from Rodburn, a point on the Midland Trail, up Christy creek to a point just beyond the Rowan and Elliott county line; thence from there branches to be built to the county seat of Elliott county and the county seat of Morgan county, to be designated as project No. 68a of the primary system of state highways, set out in chapter 17 of the Acts of 1920, said routes being in Mason, Fleming, Rowan, Elliott and Morgan counties, and leading from Maysville, on the Ohio river, to Sandy Hook, on the Sandy river, and West Liberty, on the Licking river.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as t othe third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 216. An act relating to roads and bridges.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and now is established as a part of the primary system of roads and highways in this state, project No. —, to be as follows:

From Cave City to Horse Cave.

Said project thus established to be added to the project established by chapter 17 of the Acts of 1920.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	W. M. Boling	L. F. Coomes
W. B. Ardery	J. F. Bosworth	J. L. Cushing
T. H. Baker	W. J. Brandenburg	B. F. Day
A. J. Baldridge	W. B. Bush	J. R. Dorman
J. H. Baughman	Allen B. Cammack	E. J. Doss
L. D. Bax	R. J. Cain	G. L. Drury
W. B. Belknap	Sherman Chasteen	Wm. M. Duncan
Homer Beliles	Lee Clark	D. E. Edwards
C. W. Bennett	Sam Cole	J. O. Evans
J. E. Bickett	F. W. Collings	O. C. Gartin

T. H. Golden	W. J. McMurry	Arthur Saunders
J. E. Hadden	R. D. McMurtry	G. W. Shadoan
W. R. Haselwood	J. L. Manning	Lee L. Simons
J. W. Howard	J. W. Martin	W. M. Simpson
L. J. Jeter	E. B. Miller	Geo. W. Smith
Hector Johnson	Harry Miller	A. W. Stamper
J. Roy Johnson	G. W. Morgan	D. D. Thornberry
A. J. Jolly	J. L. Morgan	W. S. Tinsley
H. J. Kegley	Wm. J. Moore	N. I. Toombs
T. H. King	E. D. Morris	J. Wood Vance
T. J. Knight	Chas. A. Nelson	C. D. Vincent
John H. Lawson	F. V. Nunnelly	W. S. Wallen
I. T. Layman	J. J. Patterson	E. C. Walker
Leon P. Lewis	G. L. Perryman	W. D. Watkins
Leroy Lewis	V. H. Redwine	C. Westerfield
Martin Light	J. L. Richardson	W. D. Watkins
J. T. Linton	J. E. Robbins	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 217. An act relating to roads and bridges.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and now is established as a part of the primary system of roads and highways in this state, project No. 11½, to be known as follows:

From Morgantown to Bowling Green, via Woodberry and Richardsville.

Said project thus established to be added to the project established by chapter 17 of the Acts of 1920.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, vi.:

Those who voted in the affirmative were—

W. L. Agee	L. F. Coomes	T. J. Knight
W. B. Ardery	J. L. Cushing	John H. Lawson
T. H. Baker	B. F. Day	I. T. Layman
A. J. Baldridge	J. R. Dorman	Leon P. Lewis
J. H. Baughman	E. J. Doss	Leroy Lewis
L. D. Bax	G. L. Drury	Martin Light
W. B. Belknap	Wm. M. Duncan	J. T. Linton
Homer Beliles	D. E. Edwards	W. J. McMurry
C. W. Bennett	J. O. Evans	R. D. McMurtry
J. E. Bickett	O. C. Gartin	J. L. Manning
W. M. Boling	T. H. Golden	J. W. Martin
J. F. Bosworth	J. E. Hadden	Harry Miller
W. J. Brandenburg	W. R. Haselwood	E. B. Miller
W. B. Bush	J. W. Howard	G. W. Morgan
Allen B. Cammack	L. J. Jeter	J. L. Morgan
R. J. Cain	Hector Johnson	Wm. J. Moore
Sherman Chasteen	J. Roy Johnson	E. D. Morris
Lee Clark	A. J. Jolly	Chas. A. Nelson
Sam Cole	H. J. Kegley	F. V. Nunnelly
F. W. Collings	T. H. King	J. J. Patterson

G. L. Perryman	W. M. Simpson	C. D. Vincent
V. H. Redwine	Geo. W. Smith	W. S. Wallen
J. L. Richardson	A. W. Stamper	E. C. Walker
J. E. Robbins	D. D. Thornberry	W. D. Watkins
Arthur Saunders	W. S. Tinsley	C. Westerfield
G. W. Shadoan	N. I. Toombs	F. E. Wilson
Lee L. Simons	J. Wood Vance	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 244. An act establishing as a part of the primary system, Acts of 1920, chapter 17, the road leading from Tompkinsville to Glasgow, and known as the Tompkinsville-Glasgow pike, in Monroe and Barren counties, and designating said road as project 37a.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established and created as a part of the primary system of state highways of the Commonwealth of Kentucky, a road leading from Tompkinsville to Glasgow, and known as the Tompkinsville-Glasgow pike.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways.

§ 2. Said road shall be designated and known as project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson

G. L. Perryman	W. M. Simpson	C. D. Vincent
V. H. Redwine	Geo. W. Smith	W. S. Wallen
J. L. Richardson	A. W. Stamper	E. C. Walker
J. E. Robbins	D. D. Thornberry	W. D. Watkins
Arthur Saunders	W. S. Tinsley	C. Westerfield
G. W. Shadoan	N. I. Toombs	F. E. Wilson
Lee L. Simons	J. Wood Vance	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 253. An act establishing and making the road leading from Owensboro via Sorgho, West Louisville, St. Joseph and Beech Grove to Dixon a part of the primary system of state highways of the Commonwealth of Kentucky and designing said road as project No. —.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Owensboro, in Daviess county, Kentucky, via the Henderson road, via Sorgho, West Louisville, St. Joseph, Beech Grove, to Dixon, in Webster county, Kentucky, be and the same is hereby established as

a part of the primary system of state highways of the Commonwealth of Kentucky, and the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17, page 76, of the Acts of 1920, establishing and creating a primary system of state highways.

§ 2. Said road shall be designated as project No. —.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	L. F. Coomes	T. J. Knight
W. B. Ardery	J. L. Cushing	John H. Lawson
T. H. Baker	B. F. Day	I. T. Layman
A. J. Baldridge	J. R. Dorman	Leon P. Lewis
J. H. Baughman	E. J. Doss	Leroy Lewis
L. D. Bax	G. L. Drury	Martin Light
W. B. Belknap	Wm. M. Duncan	J. T. Linton
Homer Beliles	D. E. Edwards	W. J. McMurry
C. W. Bennett	J. O. Evans	R. D. McMurtry
J. E. Bickett	O. C. Gartin	J. L. Manning
W. M. Boling	T. H. Golden	J. W. Martin
J. F. Bosworth	J. E. Hadden	E. B. Miller
W. J. Brandenburg	W. R. Haselwood	Harry Miller
W. B. Bush	J. W. Howard	G. W. Morgan
Allen B. Cammack	L. J. Jeter	J. L. Morgan
R. J. Cain	Hector Johnson	Wm. J. Moore
Sherman Chasteen	J. Roy Johnson	E. D. Morris
Lee Clark	A. J. Jolly	Chas. A. Nelson
Sam Cole	H. J. Kegley	F. V. Nunnelly
F. W. Collings	T. H. King	J. J. Patterson

G. L. Perryman	W. M. Simpson	C. D. Vincent
V. H. Redwine	Geo. W. Smith	W. S. Wallen
J. L. Richardson	A. W. Stamper	E. C. Walker
J. E. Robbins	D. D. Thornberry	W. D. Watkins
Arthur Saunders	W. S. Tinsley	C. Westerfield
G. W. Shadoan	N. I. Toombs	F. E. Wilson
Lee L. Simons	J. Wood Vance	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 268. An act adding project No. 51½ to the primary system of state highways established by Act of 1920.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That project No. 51½ be added to the primary system of state highways established by act of 1920. Said project starting, traversing and being as follows: From Burkesville to the Kentucky-Tennessee state line, near the mouth of Kettle Creek, via Leslie, Arat, Cary's Ferry, Black's Ferry, and Martinsburg.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	D. E. Edwards	J. L. Morgan
W. B. Ardery	J. O. Evans	Wm. J. Moore
T. H. Baker	O. C. Gartin	E. D. Morris
A. J. Baldridge	T. H. Golden	Chas. A. Nelson
J. H. Baughman	J. E. Hadden	F. V. Nunnelly
L. D. Bax	W. R. Haselwood	J. J. Patterson
W. B. Belknap	J. W. Howard	G. L. Perryman
Homer Beliles	L. J. Jeter	V. H. Redwine
C. W. Bennett	Hector Johnson	J. L. Richardson
J. E. Bickett	J. Roy Johnson	J. E. Robbins
W. M. Boling	A. J. Jolly	Arthur Saunders
J. F. Bosworth	H. J. Kegley	G. W. Shadoan
W. J. Brandenburg	T. H. King	Lee L. Simons
W. B. Bush	T. J. Knight	W. M. Simpson
Allen B. Cammack	John H. Lawson	Geo. W. Smith
R. J. Cain	I. T. Layman	A. W. Stamper
Sherman Chasteen	Leon P. Lewis	D. D. Thornberry
Lee Clark	Leroy Lewis	W. S. Tinsley
Sam Cole	Martin Light	N. I. Toombs
F. W. Collings	J. T. Linton	J. Wood Vance
L. F. Coomes	W. J. McMurry	C. D. Vincent
J. L. Cushing	R. D. McMurtry	W. S. Wallen
B. F. Day	J. L. Manning	E. C. Walker
J. R. Dorman	J. W. Martin	W. D. Watkins
E. J. Doss	Harry Miller	C. Westerfield
G. L. Drury	E. B. Miller	F. E. Wilson
Wm. M. Duncan	G. W. Morgan	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved tha tthe vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 311. An act to amend section 5, project 32, of chapter 17, Acts of the General Assembly, 1920.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 5, project No. 32, of chapter 17, of the Acts of the General Assembly of 1920, now project No. 32, under section 4356t-5 of Carroll's 1922 edition of the Kentucky Statutes, be amended by adding to and extending said project to Nicholasville, via Georgetown, Soard's Store, Midway, Versailles, Fort Garrett, Pinckard and Keene, so that said project No. 32 will read as follows, to wit:

Project No. 32. From Paris to West Liberty, via Mt. Sterling and Franchburg, and from Paris to Nicholasville, via Georgetown, Soard's Store, Midway, Versailles, Fort Garrett, Pinckard and Keene.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	D. E. Edwards	J. L. Morgan
W. B. Ardery	J. O. Evans	Wm. J. Moore
T. H. Baker	O. C. Gartin	E. D. Morris
A. J. Baldridge	T. H. Golden	Chas. A. Nelson
J. H. Baughman	J. E. Hadden	F. V. Nunnelly
L. D. Bax	W. R. Haselwood	J. J. Patterson
W. B. Belknap	J. W. Howard	G. L. Perryman
Homer Beliles	L. J. Jeter	V. H. Redwine
C. W. Bennett	Hector Johnson	J. L. Richardson
J. E. Bickett	J. Roy Johnson	J. E. Robbins
W. M. Boling	A. J. Jolly	Arthur Saunders
J. F. Bosworth	H. J. Kegley	G. W. Shadoan
W. J. Brandenburg	T. H. King	Lee L. Simons
W. B. Bush	T. J. Knight	W. M. Simpson
Allen B. Cammack	John H. Lawson	Geo. W. Smith
R. J. Cain	I. T. Layman	A. W. Stamper
Sherman Chasteen	Leon P. Lewis	D. D. Thornberry
Lee Clark	Leroy Lewis	W. S. Tinsley
Sam Cole	Martin Light	N. I. Toombs
F. W. Collings	J. T. Linton	J. Wood Vance
L. F. Coomes	W. J. McMurry	C. D. Vincent
J. L. Cushing	R. D. McMurtry	W. S. Wallen
B. F. Day	J. L. Manning	E. C. Walker
J. R. Dorman	J. W. Martin	W. D. Watkins
E. J. Doss	E. B. Miller	C. Westerfield
G. L. Drury	Harry Miller	F. E. Wilson
Wm. M. Duncan	G. W. Morgan	—30

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 39. An act establishing as a part of the primary system of state highways a road from Beattyville, Lee county, via Zachariah to Pine Ridge, Wolfe county, and thereby intersecting the state primary road from Stanton to Campton and designating said road as project No. 31A.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and now is established as one of the primary road projects of the Commonwealth of Kentucky, the following, to-wit:

"From Beattyville, Lee county, via Zachariah, to Pine Ridge, Wolfe county, and there intersecting the state primary road from Stanton to Campton, which is a part of state project No. 4."

§ 2. The said project hereby established shall be known as project No. 31A of the primary system of state highways and the said project shall receive and be entitled to all the benefits allowed and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
J. L. Morgan
G. W. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 72. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of Kentucky of 1920, which is now section 4356t-5 of Kentucky Statutes, by Carroll, 1922 edition, relating to roads and bridges and establishing a system of primary roads for the state of Kentucky, and making provisions for the establishment, construction and maintenance of the same.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section five of chapter seventeen of the Acts of the General Assembly of Kentucky of 1920, which is now section 4356t-5 of Kentucky Statutes, by Carroll, 1922 edition, be amended by adding thereto a project beginning at Olive Hill, in Carter county, a point on the Midland Trail, or project No. 47 of the primary road system of Kentucky, and going through Greenup county to Fullerton, via Carter and Kehoe, and said project shall be known as project No. 47A of the primary road system of Kentucky, and that when said act and section as above is so amended, said project shall be a part of said act and section above mentioned and the act and section above mentioned shall read as at present down to the end of project No. 47, at which point project No. 47A shall be inserted and read:

Project 47A.—From Olive Hill, in Carter county, a point on the Midland Trail, or project No. 47 of the primary road

system of Kentucky, and going through Greenup county to Fullerton, via Carter and Kehoe.

After which shall follow project No. 48, and all other parts as now set forth in said act or section following said project 47 in its present form.

§ 2. The construction, maintenance, supervision and control of road shall be subject to all the terms and conditions set out and provided for in the General Assembly of 1920 and section 4356t-5, Kentucky Statutes, by Carroll, 1922 edition, establishing a primary system of state highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	Sherman Chasteen	W. R. Haselwood
W. B. Ardery	Lee Clark	J. W. Howard
T. H. Baker	Sam Cole	L. J. Jeter
A. J. Baldridge	F. W. Collings	Hector Johnson
J. H. Baughman	L. F. Coomes	J. Roy Johnson
L. D. Bax	J. L. Cushing	A. J. Jolly
W. B. Belknap	B. F. Day	H. J. Kegley
Homer Beliles	J. R. Dorman	T. H. King
C. W. Bennett	E. J. Doss	T. J. Knight
J. E. Bickett	G. L. Drury	John H. Lawson
W. M. Boling	Wm. M. Duncan	I. T. Layman
J. F. Bosworth	D. E. Edwards	Leon P. Lewis
W. J. Brandenburg	J. O. Evans	Leroy Lewis
W. B. Bush	O. C. Gartin	Martin Light
Allen B. Cammack	T. H. Golden	J. T. Linton
R. J. Cain	J. E. Hadden	W. J. McMurry

R. D. McMurtry	J. J. Patterson	D. D. Thornberry
J. L. Manning	G. L. Perryman	W. S. Tinsley
J. W. Martin	V. H. Redwine	N. I. Toombs
E. B. Miller	J. L. Richardson	J. Wood Vance
Harry Miller	J. E. Robbins	C. D. Vincent
G. W. Morgan	Arthur Saunders	W. S. Wallen
J. L. Morgan	G. W. Shadoan	E. C. Walker
Wm. J. Moore	Lee L. Simons	W. D. Watkins
E. D. Morris	W. M. Simpson	C. Westerfield
Chas. A. Nelson	Geo. W. Smith	F. E. Wilson
F. V. Nunnelly	A. W. Stamper	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 73. "An act relating to public roads and highways," being chapter 92 of said Acts of 1922, establishing as a part of the state primary system of highways a road from Stanton to Clay City, via the old Forge Mill ford to Irvine, and in lieu thereof to establish as a part of the state primary system of highways a road from Irvine to Winchester, via Ruckerville, and to designate said road as project No. 29A.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the act of the General Assembly of the Commonwealth of Kentucky of 1922, entitled "An act relating to public roads and highways," being chapter 92 of the Acts of the General Assembly of 1922, establishing as a part of the primary system of state highways a road from Stanton to Clay City, via old Forge Mill ford to Irvine, be and the same is hereby repealed.

§ 2. That in lieu of said road there be and there is now established as one of the primary road projects of the Commonwealth of Kentucky, the following, to wit: "From Irvine to Winchester, via Ruckerville."

§ 3. The said project hereby established shall be known as project No. 29A of the primary system of state highways, and the said project shall receive and be entitled to all the benefits allowed and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	W. B. Belknap	W. J. Brandenburg
W. B. Ardery	Homer Beliles	W. B. Bush
T. H. Baker	C. W. Bennett	Allen B. Cammack
A. J. Baldridge	J. E. Bickett	R. J. Cain
J. H. Baughman	W. M. Boling	Sherman Chasteen
L. D. Bax	J. F. Bosworth	Lee Clark

Sam Cole	T. H. King	G. L. Perryman
F. W. Collings	T. J. Knight	V. H. Redwine
L. F. Coomes	John H. Lawson	J. L. Richardson
J. L. Cushing	I. T. Layman	J. E. Robbins
B. F. Day	Leon P. Lewis	Arthur Saunders
J. R. Dorman	Leroy Lewis	G. W. Shadoan
E. J. Doss	Martin Light	Lee L. Simons
G. L. Drury	J. T. Linton	W. M. Simpson
Wm. M. Duncan	W. J. McMurry	Geo. W. Smith
D. E. Edwards	R. D. McMurtry	A. W. Stamper
J. O. Evans	J. L. Manning	D. D. Thornberry
O. C. Gartin	J. W. Martin	W. S. Tinsley
T. H. Golden	E. B. Miller	N. I. Toombs
J. E. Hadden	Harry Miller	J. Wood Vance
W. R. Haselwood	G. W. Morgan	C. D. Vincent
J. W. Howard	J. L. Morgan	W. S. Wallen
L. J. Jeter	Wm. J. Moore	E. C. Walker
Hector Johnson	E. D. Morris	W. D. Watkins
J. Roy Johnson	Chas. A. Nelson	C. Westerfield
A. J. Jolly	F. V. Nunnelly	F. E. Wilson
H. J. Kegley	J. J. Patterson	—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 131. An act to amend chapter 67 of an act to establish project No. 61 in the primary system of state highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That so much of said act as affects project No. 61 as recited above, shall be extended and changed so as to read as follows: From the intersection of the Carlisle and Sharpsburg turnpike road with the Maysville and Lexington turnpike road (project No. 20) to Frenchburg by way of Carlisle, Moorefield, Sharpsburg, Owingsville and Olympian Springs, same to be designated as project No. 61 of the primary system of highways set out in chapter 17 of the Acts of 1920, and shall receive and be entitled to all the benefits allowed and provided for and in said chapter 17 of the Acts of the General Assembly of 1920.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	J. E. Bickett	Sam Cole
W. B. Ardery	W. M. Boling	F. W. Collings
T. H. Baker	J. F. Bosworth	L. F. Coomes
A. J. Baldridge	W. J. Brandenburg	J. L. Cushing
J. H. Baughman	W. B. Bush	B. F. Day
L. D. Bax	Allen B. Cammack	J. R. Dorman
W. B. Belknap	R. J. Cain	E. J. Doss
Homer Beliles	Sherman Chasteen	G. L. Drury
C. W. Bennett	Lee Clark	Wm. M. Duncan

D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 157. An act establishing and making the road leading from Williamsburg, via Red Bird, on Cumberland river, to Cumberland Falls, a part of the primary system of state highways of the Commonwealth of Kentucky,, and designating said road as project No. —.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Williamsburg, in Whitley county, Kentucky, via Red Bird bridge across Cumberland river, to the Cumberland Falls, be and the same is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, and the construction, maintenance, supervision and control of said road shall be subject to all terms and conditions set out and provided for in chapter 17, page 76, of the Acts of 1920, establishing and creating a primary system of state highways.

§ 2. Said road shall be designated as project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	W. J. Brandenburg	E. J. Doss
W. B. Ardery	W. B. Bush	G. L. Drury
T. H. Baker	Allen B. Cammack	Wm. M. Duncan
A. J. Baldridge	R. J. Cain	D. E. Edwards
J. H. Baughman	Sherman Chasteen	J. O. Evans
L. D. Bax	Lee Clark	O. C. Gartin
W. B. Belknap	Sam Cole	T. H. Golden
Homer Beliles	F. W. Collings	J. E. Hadden
C. W. Bennett	L. F. Coomes	W. R. Haselwood
J. E. Bickett	J. L. Cushing	J. W. Howard
W. M. Boling	B. F. Day	L. J. Jeter
J. F. Bosworth	J. R. Dorman	Hector Johnson

J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 160. An act relating to roads and bridges and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto, as project No. —, extending from Willow, via Holton's Corner and Double Beach to Falmouth.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly of Kentucky of 1920 be amended by adding to and inserting just after the last named project No. —, on page 92 thereof, the following:

"Project No. —, beginning at Willow and there connecting with project No. 57, thence by way of Holton's Corner and Double Beach to Falmouth."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	Sam Cole	J. Roy Johnson
W. B. Ardery	F. W. Collings	A. J. Jolly
T. H. Baker	L. F. Coomes	H. J. Kegley
A. J. Baldridge	J. L. Cushing	T. H. King
J. H. Baughman	B. F. Day	T. J. Knight
L. D. Bax	J. R. Dorman	John H. Lawson
W. B. Belknap	E. J. Doss	I. T. Layman
Homer Beliles	G. L. Drury	Leon P. Lewis
C. W. Bennett	Wm. M. Duncan	Leroy Lewis
J. E. Bickett	D. E. Edwards	Martin Light
W. M. Boling	J. O. Evans	J. T. Linton
J. F. Bosworth	O. C. Gartin	W. J. McMurry
W. J. Brandenburg	T. H. Golden	R. D. McMurtry
W. B. Bush	J. E. Hadden	J. L. Manning
Allen B. Cammack	W. R. Haselwood	J. W. Martin
R. J. Cain	J. W. Howard	E. B. Miller
Sherman Chasteen	L. J. Jeter	Harry Miller
Lee Clark	Hector Johnson	G. W. Morgan

J. L. Morgan	J. E. Robbins	N. I. Toombs
Wm. J. Moore	Arthur Saunders	J. Wood Vance
E. D. Morris	G. W. Shadoan	C. D. Vincent
Chas. A. Nelson	Lee L. Simons	W. S. Wallen
F. V. Nunnelly	W. M. Simpson	E. C. Walker
J. J. Patterson	Geo. W. Smith	W. D. Watkins
G. L. Perryman	A. W. Stamper	C. Westerfield
V. H. Redwine	D. D. Thornberry	F. E. Wilson
J. L. Richardson	W. S. Tinsley	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 189. An act establishing a road from the Jefferson county line through Bullitt county to Elizabethtown by way of Shepherdsville and Lebanon Junction, as part of the primary system of state highways, and designating said project as project No. 46a.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of

Kentucky a road, beginning at a point on the east side of the main line of the Louisville & Nashville Railroad Company, where same crosses the dividing line between Bullitt and Jefferson counties, and thence by way of Shepherdsville and Lebanon Junction to Elizabethtown, in Hardin county.

§ 2. This said project shall be designated and known as project No. 46a.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	L. F. Coomes	T. J. Knight
W. B. Ardery	J. L. Cushing	John H. Lawson
T. H. Baker	B. F. Day	I. T. Layman
A. J. Baldridge	J. R. Dorman	Leon P. Lewis
J. H. Baughman	F. J. Doss	Leroy Lewis
L. D. Bax	G. L. Drury	Martin Light
W. B. Belknap	Wm. M. Duncan	J. T. Linton
Homer Beliles	D. E. Edwards	W. J. McMurry
C. W. Bennett	J. O. Evans	R. D. McMurtry
J. E. Bickett	O. C. Gartin	J. L. Manning
W. M. Boling	T. H. Golden	J. W. Martin
J. F. Bosworth	J. E. Hadden	E. B. Miller
W. J. Brandenburg	W. R. Haselwood	Harry Miller
W. B. Bush	J. W. Howard	G. W. Morgan
R. J. Cain	L. J. Jeter	J. L. Morgan
Allen B. Cammack	Hector Johnson	Wm. J. Moore
Sherman Chasteen	J. Roy Johnson	E. D. Morris
Lee Clark	A. J. Jolly	Chas. A. Nelson
Sam Cole	H. J. Kegley	F. V. Nunnelly
F. W. Collings	T. H. King	J. J. Patterson

G. L. Perryman	W. M. Simpson	C. D. Vincent
V. H. Redwine	Geo. W. Smith	W. S. Wallen
J. L. Richardson	A. W. Stamper	E. C. Walker
J. E. Robbins	D. D. Thornberry	W. D. Watkins
Arthur Saunders	W. S. Tinsley	C. Westerfield
G. W. Shadoan	N. I. Toombs	F. E. Wilson
Lee L. Simons	J. Wood Vance	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 274. An act establishing a road from a point on project No. 6 at or near the mouth of Laurel creek, Boyd county, Ky., to a point on project No. 47, at Cannonsburg, Boyd county, Ky., and designating said road project as project No. 6½.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established and created as a part of the primary system of state highways of the Commonwealth of Kentucky, a road to lead from a point on project No. 6, at or near the mouth of Laurel creek, Boyd county,

Kentucky, to a point on project No. 47 at Cannonsburg, Boyd county, Kentucky. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved by the Governor on March 16, 1920, establishing and creating a primary system of state highways.

§ 2. Said project shall be designated and known as project No. 6½.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	Sam Cole	J. Roy Johnson
W. B. Ardery	F. W. Collings	A. J. Jolly
T. H. Baker	L. F. Coomes	H. J. Kegley
A. J. Baldridge	J. L. Cushing	T. H. King
J. H. Baughman	B. F. Day	T. J. Knight
L. D. Bax	J. R. Dorman	John H. Lawson
W. B. Belknap	E. J. Doss	I. T. Layman
Homer Beliles	G. L. Drury	Leon P. Lewis
C. W. Bennett	Wm. M. Duncan	Leroy Lewis
J. E. Bickett	D. E. Edwards	Martin Light
W. M. Boling	J. O. Evans	J. T. Linton
J. F. Bosworth	O. C. Gartin	W. J. McMurry
W. J. Brandenburg	T. H. Golden	R. D. McMurtry
W. B. Bush	J. E. Hadden	J. L. Manning
Allen B. Cammack	W. R. Haselwood	J. W. Martin
R. J. Cain	J. W. Howard	E. B. Miller
Sherman Chasteen	L. J. Jeter	Harry Miller
Lee Clark	Hector Johnson	G. W. Morgan

J. L. Morgan	J. E. Robbins	N. I. Toombs
Wm. J. Moore	Arthur Saunders	J. Wood Vance
E. D. Morris	G. W. Shadoan	C. D. Vincent
Chas. A. Nelson	Lee L. Simons	W. S. Wallen
F. V. Nunnelly	W. M. Simpson	E. C. Walker
J. J. Patterson	Geo. W. Smith	W. D. Watkins
G. L. Perryman	A. W. Stamper	C. Westerfield
V. H. Redwine	D. D. Thornberry	F. E. Wilson
J. L. Richardson	W. S. Tinsley	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 324. An act to amend section five, chapter 17 of the General Assembly of 1920, relating to roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 5 of chapter 17 of the Acts of the General Assembly of Kentucky of 1920, which is now section 4356t-5 of Kentucky Statutes, by Carroll, 1922 edition, be amended by adding thereto a project beginning at Vanceburg, in Lewis

county, a point on project No. 43 of the primary road system of Kentucky to the most convenient point on the Mayo Trail in Lawrence county, via Tannery, Smith creek, Hitchens and Willard, and said project shall be known as project No. 43a of the primary road system of Kentucky.

Ordered that said bill be read the third time.

The constitutional provision as to the third rading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan

Lee L. Simons	W. S. Tinsley	E. C. Walker
W. M. Simpson	N. I. Toombs	W. D. Watkins
Geo. W. Smith	J. Wood Vance	C. Westerfield
A. W. Stamper	C. D. Vincent	F. E. Wilson
D. D. Thornberry	W. S. Wallen	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 344. An act to repeal and re-enact project No. 20, of section 5 of chapter 17 of the Acts of 1920, relating to roads and bridges.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That project No. 20 of section 5 of chapter 17 of the Acts of the General Assembly of 1920 be and the same is hereby repealed, and is now re-enacted so as to read as follows:

Project No. 20. From Shelbyville to Ashland, by the following route: Shelbyville to Southville, thence to Mt. Eden, thence to Lawrenceburg, to Versailles, to Paris, to

Millersburg, to Blue Lick, Mayslick, Maysville, Ribolt to Vanceburg to Greenup, thence to Ashland.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 345. An act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of 1920.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly of Kentucky of 1920 be amended by adding to, and inserting just after the last named project No. — the following project No. —, from the Tennessee line a tOld Graysville, Todd county, via Pinchem, Zion, Elkton, Clifty to Greenville, Muhlenberg county.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
J. Roy Johnson
Hector Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 411. An act relating to roads and highways, making the Russellville and Morgantown road part of state primary system.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Morgantown, Butler county, Kentucky, by way of Davenport, Dimple and Flatrock, in Butler county, and Pauline, Costelow and Oak Grove school house, in Logan county, to Russellville, Ky.

The said road following what is now the inter-county seat road called the Morgantown and Russellville road, which now connects project No. 11 and project No. 1 of the state primary system and same be made a part of project No. 11 and be designated as project No. 11-B and become a part of the state primary system.

§ 2. Said road be designated of project No. 11-B.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 413. An act to amend and extend chapter 17 of the Acts of 1920, so as to include in the primary system of state highways the road from Stanton, Ky., via Clay City to Mt. Sterling, Ky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the primary system of state highways established by the act stated in the caption hereof, and by section 4356t-5 of the Kentucky Statutes be extended to include, and that there be included in said primary system of state highways a road running from project No. 4 of said system at a connection herewith at Stanton, Kentucky, to extend by the way of Clay City, Kentucky, to and connect with project Nos. 32 and 47 of said system at Mt. Sterling, Montgomery county, Kentucky; and that the said road and project shall in all respects be governed by, and receive the benefits of, the legislation stated in the caption hereof, and all amendments thereto.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 501. An act establishing as a part of the primary system of state highways of the Commonwealth of Kentucky, a road running from Carrollton, Carroll county, Kentucky, via the Little Kentucky river and Hardy creek, Kentucky, and designating said road as project No. 13-B.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road to lead from Carrollton, in Carroll county, Kentucky, via the Little Kentucky river and Hardy creek, to Bedford, in Trimble county, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to, and controlled by all the terms and conditions set out and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways, the same as though said road had been named in said original act as one of the projects of said primary system of state highways.

§ 3. Said road shall be designated and known as project No. 13-B of the primary system of state highways of the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
J. Roy Johnson
Hector Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 502. An act establishing as a part of the primary system of state highways of the Commonwealth of Kentucky, a road running from Ghent, Carroll county, Kentucky, via Sanders to New Liberty, in Owen county, Kentucky, and designating said road as project No. 13-A.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road to lead from Ghent, in Carroll county, Kentucky, via Sanders, to New Liberty, in Owen county, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways, the same as though said road had been named in said original act as one of the projects of said primary system of state highways.

§ 3. Said road shall be designated and known as project No. 13-a of the primary system of state highways of the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 510. An act establishing as a part of the primary system of state highways a road leading from the point of intersection of Hodgenville and Sonora road with the Dixie Highway, project No. 3, in Hardin county, to Hodgenville, in Larue county, following as nearly as practicable the said Hodgenville and Sonora road, and designating same as project No. 3½.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary system of state highways a road leading from the point of intersection of the Hodgenville and Sonora road with the Dixie Highway, project No. 3, in Hardin county, to Hodgenville, in Larue county, following as nearly as practicable the said Hodgenville and Sonora road, and that same be designated as project No. 3½.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 527. An act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of 1920.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly for the year 1920 be amended by adding to and inserting just after the last named project —, the following: "Project No. —," from Russellville, Logan county, to Guthrie, Todd county, and connecting with Dixie Highway at Guthrie, Todd county, via old Russellville and Clarksville road, known as old stage coach line.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	Homer Beliles	Allen B. Cammack
W. B. Ardery	C. W. Bennett	R. J. Cain
T. H. Baker	J. E. Bickett	Sherman Chasteen
A. J. Baldridge	W. M. Boling	Lee Clark
J. H. Baughman	J. F. Bosworth	Sam Cole
L. D. Bax	W. J. Brandenburg	F. W. Collings
W. B. Belknap	W. B. Bush	L. F. Coomes

J. L. Cushing	John H. Lawson	V. H. Redwine
B. F. Day	I. T. Layman	J. L. Richardson
J. R. Dorman	Leon P. Lewis	J. E. Robbins
E. J. Doss	Leroy Lewis	Arthur Saunders
G. L. Drury	Martin Light	G. W. Shadoan
Wm. M. Duncan	J. T. Linton	Lee L. Simons
D. E. Edwards	W. J. McMurry	W. M. Simpson
J. O. Evans	R. D. McMurtry	Geo. W. Smith
O. C. Gartin	J. L. Manning	A. W. Stamper
T. H. Golden	J. W. Martin	D. D. Thornberry
J. E. Hadden	E. B. Miller	W. S. Tinsley
W. R. Haselwood	Harry Miller	N. I. Toombs
J. W. Howard	G. W. Morgan	J. Wood Vance
L. J. Jeter	J. L. Morgan	C. D. Vincent
Hector Johnson	Wm. J. Moore	W. S. Wallen
J. Roy Johnson	E. D. Morris	E. C. Walker
A. J. Jolly	Chas. A. Nelson	W. D. Watkins
H. J. Kegley	F. V. Nunnelly	C. Westerfield
T. H. King	J. J. Patterson	F. E. Wilson
T. J. Knight	G. L. Perryman	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 540. An act to amend section five of chapter 17 of the Acts of the General Assembly of 1920, which is now section 4356t-5 of Kentucky Statutes, by Carroll, 1922 edition,

relating to roads and bridges, and establishing a system of primary roads for the state of Kentucky, and making provisions for the establishment, construction and maintenance of the same.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 5 of chapter 17 of the Acts of the General Assembly of Kentucky of 1920, which is now section 4356t-5 of Kentucky Statues, by Carroll, be amended by adding thereto a project beginning at Burchfield, on project No. 28, in Elliott county, to mouth of Fields branch, in Carter county, on Grayson and Willard road, via Deer creek, to mouth of Coon Eye, thence up Coon Eye to the head of Fields branch, thence down Fields branch to the mouth of same.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	J. E. Bickett	Sam Cole
W. B. Ardery	W. M. Boling	F. W. Collings
T. H. Baker	J. F. Bosworth	L. F. Coomes
A. J. Baldridge	W. J. Brandenburg	J. L. Cushing
J. H. Baughman	W. B. Bush	B. F. Day
L. D. Bax	Allen B. Cammack	J. R. Dorman
W. B. Belknap	R. J. Cain	E. J. Doss
Homer Beliles	Sherman Chasteen	G. L. Drury
C. W. Bennett	Lee Clark	Wm. M. Duncan

D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 541. An act relating to roads and bridges, establishing a road from the Rockcastle river, at the place where the Dixie Highway crosses said river, to McKee.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be added to the primary system of state highways the following route:

From the bridge that crosses the Rockcastle river, same being the Dixie Highway, thence up the Rockcastle river to the forks of said river, thence up the middle fork of said river to the mouth of Indian creek, thence up Indian creek to McKee.

This route is not to be constructed until the route known as the Bosworth Trail is completed to McKee.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	R. J. Cain	T. H. Golden
W. B. Ardery	Sherman Chasteen	J. E. Hadden
T. H. Baker	Lee Clark	W. R. Haselwood
A. J. Baldridge	Sam Cole	J. W. Howard
J. H. Baughman	F. W. Collings	L. J. Jeter
L. D. Bax	L. F. Coomes	Hector Johnson
W. B. Belknap	J. L. Cushing	J. Roy Johnson
Homer Beliles	B. F. Day	A. J. Jolly
C. W. Bennett	J. R. Dorman	H. J. Kegley
J. E. Bickett	E. J. Doss	T. H. King
W. M. Boling	G. L. Drury	T. J. Knight
J. F. Bosworth	Wm. M. Duncan	John H. Lawson
W. J. Brandenburg	D. E. Edwards	I. T. Layman
W. B. Bush	J. O. Evans	Leon P. Lewis
Allen B. Cammack	O. C. Gartin	Leroy Lewis

Martin Light	Chas. A. Nelson	A. W. Stamper
J. T. Linton	F. V. Nunnelly	D. D. Thornberry
W. J. McMurry	J. J. Patterson	W. S. Tinsley
R. D. McMurtry	G. L. Perryman	N. I. Toombs
J. L. Manning	V. H. Redwine	J. Wood Vance
J. W. Martin	J. L. Richardson	C. D. Vincent
E. B. Miller	J. E. Robbins	W. S. Wallen
Harry Miller	Arthur Saunders	E. C. Walker
G. W. Morgan	G. W. Shadoan	W. D. Watkins
J. L. Morgan	Lee L. Simons	C. Westerfield
Wm. J. Moore	W. M. Simpson	F. E. Wilson
E. D. Morris	Geo. W. Smith	

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 546. An act relating to roads and bridges and establishing a new project to be a part of the state primary system of roads, from Hyden, Leslie county, to connect with the Manchester, Red Bird-Pineville project at or near Beverly.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established the following road project to be a part of the primary system of state highways by this Commonwealth as defined in chapter 17 of the Acts of the General Assembly of 1920, as follows:

From Hyden, Leslie county, to connect with the Manchester, Red Bird-Pineville project at or near Beverly.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Martin Light
J. T. Linton
Leon P. Lewis
Leroy Lewis
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan

Lee L. Simons	W. S. Tinsley	E. C. Walker
W. M. Simpson	N. I. Toombs	W. D. Watkins
Geo. W. Smith	J. Wood Vance	C. Westerfield
A. W. Stamper	C. D. Vincent	F. E. Wilson
D. D. Thornberry	W. S. Wallen	

—80

There voted in the negative—

J. Will McFarlin —1

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 522. An act to amend chapter 82, Acts 1922, entitled "An act to amend chapter 17, Acts of the General Assembly of 1920," as approved by the Governor March 16, 1920, relating to roads and bridges and creating department of state roads, highways, &c.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 82, Acts of 1922, be amended so as to read as follows:

Project 22.—From Shelbyville to Kentucky-Tennessee state line, at Isham, Tenn., via Shelbyville, Graefensburg, Alton, Lawrenceburg, Harrodsburg, Danville, Stanford, Somerset, Burnside, Whitley City and Pine Knott, Kentucky.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin

—1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 537. An act establishing as a part of the primary system of state highways a road running from Campbellsville, Kentucky, via Cane Valley and Columbia, via Crocus, via Creelsboro, to Albany, in Clinton county, Kentucky, and designating said road as project No. —.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road to lead from Campbellsville, in Taylor county, Kentucky, via Cane Valley, via Columbia, the county seat of Adair county, via Crocus, via Creelsboro to Albany, in Clinton county, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road be subject to and controlled by all of the terms and conditions set out and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways, the same as though said road had been named in said original act as one of the projects of said primary system of state highways.

§ 3. Said road shall be designated and known as project No. — of the primary system of state highways of the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 494. An act establishing road leading from Longridge to Cherry Grove, by Jonesville, Downingsville, Stewartsville, Heeking to Cherry Grove.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Longridge to Cherry Grove, by way of Jonesville, Downingsville, Stewartsville, Heekin to Cherry Grove, the same is hereby established as a part of the primary system of the state highway of the Commonwealth of Kentucky and the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17, page 76 of the Acts of 1920 establishing and creating a primary system of state highways.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin

—1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 96. An act relating to roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and now is established as a part of the primary road system of the Commonwealth the following, to be designated as project No. —, as follows:

Beginning at Leitchfield, at the point of intersection with project No. 12, thence through Caneyville, and Springlick to Rosine, in Ohio county, and intersecting with project No. 66 at this point.

§ 2. Said project thus established to be and become a part of the primary system of roads in this state and be entitled to all benefits and subject to all laws now or hereafter in force with relation to same.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
W. R. Haselwood
J. E. Hadden
J. W. Howard
L. J. Jeter
J. Roy Johnson
Hector Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin

—1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 154. An act amending chapter 17 of the Acts of 1920 and creating project No. —, extending from Shawneetown, Ill., through Morganfield, Boxville and Tilden, to and intersecting with project No. 2 of said chapter 17.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1920 be amended by adding thereto and inserting just after the last named project No. — of said chapter, on page 92 of said acts the following:

Project No. —, leading from the Ohio river at a point nearly opposite Shawneetown, Ill., through Morganfield, Boxville, Tilden to intersect with project No. 2, known and called the Dixie Bee Line.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
J. Roy Johnson
Hector Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 473. An act establishing as a part of the system of state primary roads, a road leading from Hodgenville, in Larue county, to Campbellsville, in Taylor county, via Jericho, Malt, Hibernia and Badger, and following as nearly as practicable the old Hodgenville and Buffalo turnpike and Hodgenville and Campbellsville road, but passing said points, said road to be known and designating as project No. 42½.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the road leading from Hodgenville, in Larue county, to Campbellsville, in Taylor county, via Jericho, Malt, Hibernia and Badger, and following as nearly as practicable the old Hodgenville and Buffalo turnpike and the Hodgenvile and Campbellsville road, but passing said points, be established as and become a part of the system of state primary roads, and that same be known and designated as project No. 41½.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
J. Roy Johnson
Hector Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 481. An act establishing and making the road leading from Owensboro, via Utica, Livia, Nuckols, Livermore and Island to South Carrollton, a part of the primary system of state highways of the Commonwealth of Kentucky, and designating said road as project No. —.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Owensboro, in Daviess county, Kentucky, via Utica and Livia, in Daviess county; thence via Nuckols, Livermore and Island, in McLean county, Kentucky, to South Carrollton, in Muhlenberg county, Kentucky, intersecting project No. 10 of the primary system of state highways, be and the same is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, and the consruction, maintenance. supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17, page 76, of the Acts of 1920, establishing and creating a primary system of state highways.

§ 2. Said road shall be designated as project No. —.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
G. W. Morgan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
J. Roy Johnson
Hector Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson
Wm. M. Duncan

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that he vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 297. An act to amend chapter 79 of the General Assembly of 1922, as approved by the Governor, March 23, 1922, entitled: "An act establishing a road running from Barbourville, Knox county, Kentucky, via London, via Williamsburg, via Bond-Jellico, via Jellico creek, via Cross Roads to Pine Knott, in McCreary couny, Kentucky, as a state primary road, and designating said road as project No. 22-A.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That so much of the Acts of the General Assembly as aforesaid and above recited, as affect state highway project No. 22-A shall be amended and changed, so that said project No. 22-A when so amended, extended and re-enacted it will read as follows, viz.:

From Pine Knott, in McCreary county, via Williamsburg, via Barbourville, to Manchester, in Clay county, Kentucky.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constiution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
J. Roy Johnson
Hector Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
F. V. Nunnelly
Chas. A. Nelson
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. BB. 325. An act relating to roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the following be added to the primary system of roads: Beginning at Lebanon, Marion county, connecting with project No. —, thence to Loretto, Marion county, thence to New Haven, Nelson county, thence to a point near Dalington, Hardin county, and there connecting with proposed project No. —, which is the road from Elizabethtown to Bardstown.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmativewere—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
J. Roy Johnson
Hector Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

80

There voted in the negative—

J. Will McFarlin

—1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 377. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, relating to roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth tof Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road to lead from Millers Mill, a point on project No. 8 to Cloverport, via Ekron, Paynesville, Corcordia, Rhodelia, Union Star, Stephensport. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary road system for the state of Kentucky.

§ 2. Said project shall be desigated and known as project No. 8-A.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
J. Roy Johnson
Hector Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin —1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 412. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of 1920, relating to roads and bridges.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road to lead from Hog Wallow, a point on project No. 8, to Radcliffe, Hardin county, via Flaherty and Vine Grove. The construction, maintenance, supervision and control of said road shall be subject to all terms and conditions set out and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary road system for the state of Kentucky.

§ 2. Said project shall be designated and known as project No. 8-B.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
W. B. Belknap
Homer Beliles
C. W. Bennett
J. E. Bickett
W. M. Boling
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
Wm. M. Duncan
D. E. Edwards
J. O. Evans
O. C. Gartin
T. H. Golden
J. E. Hadden
W. R. Haselwood
J. W. Howard
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
F. V. Nunnelly
J. J. Patterson
G. L. Perryman
V. H. Redwine
J. L. Richardson
J. E. Robbins
Arthur Saunders
G. W. Shadoan
Lee L. Simons
W. M. Simpson
Geo. W. Smith
A. W. Stamper
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

—80

There voted in the negative—

J. Will McFarlin

—1

Resolved, that the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the able.

Said motion was agreed to.

Mr. Howard moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

MONDAY, MARCH 10, 1924.

The House was opened with prayer by the Reverend I. W. Wilcox, of the Presbyterian Church, Southern Assembly, of Frankfort.

The roll was called and the following members answered to their names, viz.:

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
Homer Beliles
J. E. Bickett
S. A. Blackburn
W. M. Boling
Wm. H. Bornhorst
J. F. Bosworth
W. J. Brandenburg
W. B. Bush
J. G. Campbell
R. J. Cain
Sherman Chasteen
Lee Clark
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
H. C. Duffy
Wm. M. Duncan
D. E. Edwards
J. O. Evans
H. M. Fultz
O. C. Gartin
T. H. Golden
J. E. Hadden
H. C. Hawkins
J. W. Howard
R. O. Huntsman
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
D. C. Jones
H. J. Kegley
T. H. King
T. J. Knight
John H. Lawson
I. T. Layman
Oscar Leibson
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
J. Will McFarlin
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
Chas. A. Nelson
E. E. Palmore
J. J. Patterson
J. F. Reed
J. E. Robbins
C. W. Ryans
G. W. Shadoan
Lee L. Simons
Geo. W. Smith
F. L. Strange
H. Q. Thompson
D. D. Thornberry
W. S. Tinsley
N. I. Toombs
J. Wood Vance
C. D. Vincent
W. S. Wallen
E. C. Walker
W. D. Watkins
C. Westerfield
F. E. Wilson

The reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent, Mr. Bax introduced the following bill, which was ordered printed and referred as follows, viz.:

H. B. 592. An act to amend section 761 of the Kentucky Statutes, Carroll's edition, 1922.

To Committee on Rules.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

S. B. 238. An act authorizing counties of the state of Kentucky containing cities of the fifth class to establish county hospitals and issue bonds for purchase of hospital site, construction and maintenance of same, and providing a tax levy for hospital expenses and maintenance and providing for a training school in connection therewith.

S. B. 456. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto, as project —, from Owensboro to South Carrollton.

S. B. 227. An act establishing as a part of the primary system of state highways a road from Harrodsburg, Mercer county, via Burgin, across Dix river, at Dix Dam, via Buna Vista, in Garrard county, and there intersecting the state primary system road from Nicholasville to Kentucky-Tennessee state line near Hunterville, and designating said road as project 23-a.

S. B. 335. An act establishing and designating the road leading from Clarkston, Grayson county, to Upton Station, of Hardin county, via Millerstown, as a part of the primary system of state highways.

S. B. 266. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto as project —, extending from Crab Orchard to Somerset.

S. B. 442. An act relating to roads and bridges, and amending chapter 17 of the Acs of the General Assembly of 1920, and by adding thereto, as project —, extending from Smithland, county seat of Livingston county, Kentucky, via Salem, Lola, to Carrsville, on the Ohio river, connecting primary system of Kentucky to that of Illinois.

S. B. 438. An act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

S. B. 439. An act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

S. B. 382. An act establishing and designating a road from Williamstown to Warsaw, via Dry Ridge, Hanks, Folsom and Glencoe, as a part of the primary system of state highways, etc.

S. B. 360. An act establishing a road leading from project 22 at Whitley City, McCreary county, Kentucky, to and intersecting with the Dixie Highway at Corbin, Whitley county, via the falls of the Cumberland river and to be designated as project 22-C of primary system of state highways.

S. B. 451. An act establishing and making the road leading from Williamstown via the Bracht Station, Piner, Atwood, Kenton Station, Ripple Creek, John Hill to Newport, Kentucky, a part of the primary system of state highways of the Commonwealth of Kenucky and designating said road as project No. —.

S. B. 396. An act to amend section 5, chapter 17, Acts of the General Assembly, 1920, relating to roads and bridges and creation of state roads and highways.

S. B. 416. An act relating to roads and bridges and establishing a new project to be a part of the state primary system of roads from Hyden, Leslie county, to connect with the Manchester, Red Bird-Pineville Project at or near Beverly.

S. B. 408. An act concerning roads and highways.

S. B. 377. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of the 1920 session, approved March 16, 1920, which act relates to roads and bridges and the creation of a Department of State Roads and Highways, etc., by adding to said project No. —, which will run from Eddyville, Lyon county, Kentucky, through Cadiz, Trigg county, Kentucky, to the line between Kentucky and Tennessee, near where the state line crosses the Cumberland river.

S. B. 159. An act to repeal section 201c-3 of Carroll's edition, Kentucky Statutes, relating to issuing free passes to employes of common carriers, who are also at the time a state, county, district or municipal officer, member of the General Assembly or judge.

S. B. 409. An act to add to project No. —, in Harlan county, by including in the state primary system of roads the route from Harlan to the Virginia state line, near St. Charles, Va., via Evarts and Kenvir.

S. B. 195. An act to repeal and re-enact section four thousand six hundred and forty-two, Kentucky Statutes, Carroll's edition, 1922, relating to and fixing the compensation of official stenographic reporters in the courts of this Commonwealth.

S. B. 414. An act to provide for and to authorize the refunding, repayment or inheritance taxes paid by educational or religious institutions, whether resident or non-resident, not operated for gain but as purely public charities.

S. B. 358. An act to establish a road connecting the highway system of Missouri, across Kentucky, with the highway system of Tennessee, being a road leading from Columbus, Hickman county, Kentucky, on project 7, thence through Moscow and Caycey, Kentucky, to the Kentucky and Tennessee state line at Jordan, Kenucky, to be known as project 7b.

S. Res. 16. A resolution to authorize the Governor to appoint commissioners for the Commonwealth of Kentucky for the purpose of conveying by deed a certain tract of land now owned by the Commonwealth of Kentucky, located in the county of Jefferson, in fee simple for the purpose of enabling the county to construct a road thereon from Jefferson turnpike road to the tomb of the late President Zachary Taylor.

Ordered, that said bills be printed and referred to Committe on Rules.

And that they had passed bills which originated in this body of the following titles, viz.:

H. B. 30. An act to amend and re-enact sections 4130, 4143, 4146, 4147 and 4148, Kentucky Statutes, Carroll's 1915 edition, all relating to revenue and taxation.

With the following amendments thereto, viz.:

Amend H. B. 30 by adding at the end the following paragraph:

"This act shall be known as the Dycuss-Linton Act."

Amend the title to H. B. 30 by adding after the word taxation, the words: "To be known as the Dycus-Linton Act."

Said amendments were concurred in.

Said bill as amended was then passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

A. J. Baldridge	J. E. Hadden	E. D. Morris
L. D. Bax	H. C. Hawkins	Chas. A. Nelson
Homer Beliles	R. O. Huntsman	F. V. Nunnelly
S. A. Blackburn	L. J. Jeter	E. E. Palmore
J. F. Bosworth	J. Roy Johnson	J. J. Patterson
W. J. Brandenburg	Hector Johnson	G. L. Perryman
W. B. Bush	A. J. Jolly	J. E. Robbins
R. J. Cain	D. C. Jones	Lee L. Simons
Sherman Chasteen	H. J. Kegley	Geo. W. Smith
Lee Clark	T. H. King	F. L. Strange
Sam Cole	T. J. Knight	H. Q. Thompson
F. W. Collings	Leon P. Lewis	D. D. Thornberry
L. F. Coomes	Leroy Lewis	W. S. Tinsley
J. L. Cushing	Martin Light	N. I. Toombs
B. F. Day	J. T. Linton	J. Wood Vance
J. R. Dorman	J. Will McFarlin	M. E. Vaughan
E. J. Doss	W. J. McMurry	C. D. Vincent
Wm. M. Duncan	J. L. Manning	W. S. Wallen
D. E. Edwards	Harry Miller	E. C. Walker
J. O. Evans	G. W. Morgan	W. D. Watkins
O. C. Gartin	J. L. Morgan	C. Westerfield
T. H. Golden	Wm. J. Moore	F. E. Wilson

—65

Those who voted in the negative were—

J. H. Baughman I. T. Layman —2

Resolved, that the title thereof be as amended.

Mr. Jolly moved that the vote by which said bill was passed as amended be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

H. B. 534. An act appropriating money for the operation and maintenance of the various departments, boards, commissions, institutions and agencies of the state government, except for the legislative and judicial departments, and except for the common schools, for the fiscal year ending June 30, 1925; designating the funds and sources from which said appropriations are to be paid, and prescribing the manner in which same are to be paid.

With the following amendments thereto:

Amend H. B. 534 by adding the following words to section 37, on page 14, after line 24: "For the purpose of paying the cost of maintenance and operation of investigations in tobacco to determine methods of disease control, the possibility of improvement of varieties and for investigations in the culture and curing of dark and burley tobacco, there is hereby appropriated out of the general expenditure fund the sum of fifteen thousand dollars ($15,000.00.)"

Amend H. B. 534, in Senate, by striking out of line 15, sub-section F, of section 38, on page 14 of the printed bill, the words "of the balance," and by striking out all of that part of line 17 of the same section, beginning with the word "provided," and all of lines 18 and 19.

Said amendments were concurred in.

Said bill was then passed as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	O. C. Gartin	Wm. J. Moore
A. J. Baldridge	T. H. Golden	Chas. A. Nelson
W. B. Belknap	J. E. Hadden	E. E. Palmore
S. A. Blackburn	W. R. Haselwood	J. J. Patterson
J. F. Bosworth	H. C. Hawkins	J. F. Reed
W. J. Brandenburg	J. W. Howard	J. E. Robbins
W. B. Bush	Hector Johnson	G. W. Shadoan
R. J. Cain	A. J. Jolly	Lee L. Simons
Sherman Chasteen	D. C. Jones	Geo. W. Smith
Lee Clark	H. J. Kegley	F. L. Strange
Sam Cole	T. H. King	H. Q. Thompson
F. W. Collings	T. J. Knight	D. D. Thornberry
L. F. Coomes	I. T. Layman	N. I. Toombs
J. L. Cushing	Leon P. Lewis	J. Wood Vance
B. F. Day	Leroy Lewis	C. D. Vincent
J. R. Dorman	Martin Light	W. S. Wallen
E. J. Doss	W. J. McMurry	E. C. Walker
G. L. Drury	J. L. Manning	W. D. Watkins
Wm. M. Duncan	Harry Miller	C. Westerfield
D. E. Edwards	G. W. Morgan	W. D. Watkins
J. O. Evans	J. L. Morgan	F. E. Wilson

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Those who voted in the negative were—

W. B. Ardery	H. M. Fultz	J. W. Martin
T. H. Baker	L. J. Jeter	F. V. Nunnelly
H. C. Duffy	J. Will McFarlin	G. L. Perryman

—9

Resolved, that the title thereof be as aforesaid.

Mr. Jolly moved that the vote by which said bill as amended was passed be reconsidered and that motion lie on the table.

Said last named motion was agreed to.

H. B. 535. An act appropriating money for the operation and maintenance of the various departments, boards, commissions, institutions and agencies of the state government except for the legislative and judicial departments. and except for the common schools, for the fiscal year ending June 30, 1926; designating the funds and sources from which said appropriations are to be paid, and prescribing the manner in which same are to be paid.

Together with the following amendment thereto, viz.:

Amend H. B. 535, in Senate, by adding to section 37, on page 13, immediately after line 24, the words: "for the investigation for prevention of diseases in tobacco the sum of $15,000.00."

Said amendment was concurred it.

Said bill, as amended, was then passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. D. Bax	L. F. Coomes	Hector Johnson
W. B. Belknap	J. L. Cushing	A. J. Jolly
Homer Beliles	B. F. Day	D. C. Jones
S. A. Blackburn	J. R. Dorman	T. H. King
J. F. Bosworth	E. J. Doss	T. J. Knight
W. J. Brandenburg	G. L. Drury	Leon P. Lewis
W. B. Bush	Wm. M. Duncan	Leroy Lewis
J. G. Campbell	D. E. Edwards	W. J. McMurry
R. J. Cain	J. O. Evans	R. D. McMurtry
Sherman Chasteen	T. H. Golden	J. L. Manning
Lee Clark	J. E. Hadden	Harry Miller
Sam Cole	H. C. Hawkins	G. W. Morgan
F. W. Collings	R. O. Huntsman	J. L. Morgan

Wm. J. Moore	W. M. Simpson	J. Wood Vance
E. D. Morris	Geo. W. Smith	C. D. Vincent
Chas. A. Nelson	F. L. Strange	W. S. Wallen
E. E. Palmore	H. Q. Thompson	E. C. Walker
J. J. Patterson	D. D. Thornberry	W. D. Watkins
J. E. Robbins	W. S. Tinsley	C. Westerfield
Lee L. Simons	N. I. Toombs	F. E. Wilson

—60

Those who voted in the negative were—

W. L. Agee	H. M. Fultz	J. W. Martin
T. H. Baker	W. R. Haselwood	F. V. Nunnelly
A. J. Baldridge	L. J. Jeter	G. L. Perryman
J. H. Baughman	I. T. Layman	
H. C. Duffy	J. Will McFarlin	

—13

Resolved, that the title thereof be as aforesaid.

Mr. Jolly moved that the vote by which said bill, as amended, was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered, that said bills be delivered to the Enrolling Clerk.

The Committee on Rules reported bills of the following titles, viz.:

H. B. 588. An act relating to roads and highways.

H. B. 590. An act to exempt from jury service.

H. B. 570. An act to amend section 2992 of the Kentucky Statutes, Carroll's edition, vol. 111, relating to cities of the first class, providing for appeal from the action of the board of equalization.

H. B. 584. An act to amend and re-enact section 1 of chapter 96 of the Acts of the General Assembly of 1918, which act is entitled: "An act relating to exemptions of household goods and other personal property to a person with a family, and prescribing the duties of the county clerk in relation thereto, and fixing his compensation."

H. B. 564. An act to amend and re-enact the first paragraph of section 8, chapter 36, Acts of the General Assembly of 1920, relating to county board of education and the levying of taxes for common school purposes.

S. B. 404. An act entitled an act permitting the members of cooperative marketing associations to execute crop mortgages upon their products.

S. B. 354. An act to provide for the construction, reconstruction, maintenance, altering, repairing or changing of sewers in cities of the third class and to provide for the payment for same and creating a lien therefor upon the property benefited and to repeal subsection 8 of section 3290, Kentucky Statutes, relating thereto.

S. B. 322. An act to change the court calendar of Harlan county and to amend section 965, Kentucky Statutes.

S. B. 288. An act to amend and re-enact section 839 of the Kentucky Statutes, Carroll's 1922 edition.

S. B. 274. An act to provide for the establishment, conduct and maintenance of public playgrounds and recreation grounds and centers in and by cities and counties; and authorizing school districts to join in the conduct and operation of such playgrounds and recreation centers.

S. B. 272. An act to repeal, amend and re-enact section

3 of chapter 34 of the Acts of the General Assembly of Kentucky, 1920 session, touching Geological Survey.

S. B. 269. An act making it unlawful to operate a motor vehicle upon any of the public highways of this Commonwealth while intoxicated; prescribing the duties of sheriffs and other peace officers relative to the enforcement of this act, fixing penalties for persons violating said act and for officers failing to discharge their duties thereunder.

S. B. 255. An act to authorize county officers to turn over to the Kentucky State Historical Society for preservation, old books and documents no longer of use or value to the counties.

S. B. 181. An act to amend sections 1, 4-2, 10, 11, 18, 21, 30, 38, 42 and 83 of an act entitled "An act to provide an elective system of workmen's compensaion for industrial accidents" and known as chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved by the Governor on March 23, 1916, and the same act as amended by what is known as chapter 126 of the Acts of the General Assembly for the year 1918, and approved by the Governor on March 29, 1918, and the same act as amended by what is known as chapter 37 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1920, and the same act as amended by what is known as chapter 50 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1922 and approved by the Governor on March 22, 1922, said sections as amended and to be amended are known as sections 4890, 4884, 4891, 4892, 4902, 4911, 4919, 4923 and 4968 of Carroll's Kentucky Statutes, 6th edition, 1922, and declaring an emergency to exist.

S. B. 152. An act defining size of type to be used in printed portion of a recordable instrument.

S. B. 145. An act empowering burial or cemetery associations to condemn sufficient land for burial and cemetery purposes and extending to such association the right of eminent domain, and empowering said association to condemn within three miles of any city of the first, second, third or fourth class, land sufficient for the needs of said community.

S. B. 123. An act to repeal and re-enact sections 2, 3 and 7 of an act concerning conveyance, approved March 23, 1910, being sections 502, 503 and 514 of chapter 29 of the Kentucky Statutes, etc.

S. B. 116. An act to amend and re-enact section 3142B-11, Kentucky Statutes, Carroll's sixth edition, 1922.

S. B. 98. An act to amend section 1746, article 12, chapter 47, Kentucky Statutes, Vol. 1, Carroll's edition, 1915, relating to fees, by adding thereto the language hereinafter set out.

S. B. 74. An act to amend and re-enact sections 17 and 18 of chapter 90 of the 1920 Acts of the General Assembly of the Commonwealth of Kentucky relating to vehicles; regulating their use and operation upon the public highways of this Commonwealth; providing for the registration and licensing of motor vehicles; fixing the amount of the license and manner of payment thereof; providing for the registration, licensing of operators of motor vehicles and the amount of such license; providing a method of registration; preventing illegal traffic in motor vehicles; providing penalty for the violation of this act, and repealing any and all conflicting laws.

S. B. 38. An act providing for vacation for county judge.

S. B. 33. An act to amend, revise and re-enact section 4127, Carroll's Kentucky Statutes, 1922 edition.

S. B. 79. An act providing for reading of Bible in public schools.

S. B. 5. An act amending and re-enacting section 1363, Kentucky Statutes, relating to control and improvement of public streets, alleys and sidewalks, roads, lanes, avenues, highways and thoroughfares in cities of the fourth class.

S. B. 1. An act to repeal and re-enact sections 9 and 12 of chapter 53 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1920, relating to the levy of taxes in cities of the third class for school purposes, fixing the limit of rate of taxation therein a $1.50 on each $100.00 of taxable property in such cities and otherwise re-enacting said sections 9 and 12 of said chapter 53.

H. B. 553. An act relating to omnibus lines or transportation lines by motor vehicles on public highways outside of incorporated cities operated for hire; providing for the registration and licensing of motor vehicles used upon such lines, fixing the amount of license; and, providing penalty for the violation of this act.

H. B. 127. An act to amend, revise and extend sections 39, 40, 43, 44, 86 and 88 of Acts of session of 1914, defining public roads and requiring the employment of a county road engineer and prescribing the duties thereof.

H. B. 571. An act to amend and re-enact section 1155, Carroll's Kentucky Statutes, 1915 edition.

S. B. 238. An act authorizing counties of the state of Kentucky containing cities of fifth class to establish county

hospitals and issue bonds for purchase of hospital site, construction and maintenance of same, and providing a tax levy for hospital expenses and maintenance and providing for a training school in connection therewith.

S. B. 456. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto as project —, from Owensboro to South Carrollton.

S. B. 227. An act establishing as a part of the primary system of state highways a road from Harrodsburg, Mercer county, via Burgin, across Dix river at Dix Dam, of Buna Vista, in Garrard county, and there intersecting the state primary system road from Nicholasville to Kentucky-Tennessee sate line, near Hunterville, and designating said road as project 23-a.

S. B. 335. An act establishing and designating the road leading from Clarkston, Grayson county, to Upton Station of Hardin county, via Millerstown, as a part of the primary system of state highways.

S. B. 226. An act relating to roads and bridges, and amending chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto as project —, extending from Crab Orchard to Somerset.

S. B. 442. An act relating to roads and bridges, and amending chapter 17 of the Acts of the General Assembly of 1920, and by adding thereto, as project —, extending from Smithland, county seat of Livingston county, Kentucky, via Salem, Lola, to Carrsville, on the Ohio river, connecting primary system of Kentucky to that of Illinois.

S. B. 438. An act relating to roads and highways and

describing and fixing a project to be added to the primary system of roads and highways.

S. B. 439. An act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

S. B. 382. An act establishing and designating a road from Williamstown to Warsaw, via Dry Ridge, Hanks, Folsom and Glencoe, as a part of the primary system of state highways, etc.

S. B. 360. An act establishing a road leading from project 22, at Whitley City, McCreary county, Kentucky, to and intersecting with the Dixie Highway at Corbin, Whitley City, via the falls of the Cumberland river, and to be designated as project 22-C of primary system of state highways.

S. B. 451. An act esablishing and making the road leading from Williamstown via the Bracht station, Piner, Atwood, Kenton Station, Ripple Creek, John Hill to Newport, Kentucky, a part of the primary system of state highways of the Commonwealth of Kentucky, and designating said road as project No. —.

S. B. 396. An act to amend section 5, chapter 17, Acts of the General Assembly, 1920, relating to roads and bridges and creation of state roads and highways.

S. B. 416. An act relating to roads and bridges and esablishing a new project to be a part of the state primary system of roads from Hyden, Leslie county, to connect with the Manchester, Red Bird-Pineville project at or near Beverly.

S. B. 408. An act concerning roads and highways.

S. B. 377. An act to amend section 5 of chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of the 1920 session, approved March 16, 1920, which act relates to roads and bridges and the creation of a department of state roads and highways, etc., by adding to said project No. —, which will run from Eddyville, Lyon county, Kentucky, through Cadiz, Trigg county, Kentucky, to the line between Kentucky and Tennessee, near where the state line crosses the Cumberland river.

S. B. 159. An act to repeal section 201c-3 of Carroll's edition, Kentucky Statutes, relating to issuing free passes to employes of common carriers, who are also at the time a state, county, district or municipal officer, member of the General Assembly or judge.

S. B. 409. An act to add to project No. —, in Harlan county, by including in the state primary system of roads, the route from Harlan to the Virginia state line near St. Charles, Va., via Evarts and Kenvir.

S. B. 195. An act to repeal and re-enact section 4642, Kentucky Statutes, Carroll's edition, 1922, relating to and fixing the compensation of official stenographic reporters in the courts of this Commonwealth.

S. B. 414. An act to provide for and to authorize the refunding, repayment of inheritance taxes paid by educational or religious institutions, whether resident or non-resident, not operating for gain but as purely public charities.

S. B. 358. An act to establish a road connecting the Highway systems of Missouri across Kentucky with the highway system of Tennessee, being a road leading from Columbus, Hickman county, Kentucky, on project 7, thence through Moscow and Caycey, Kentucky, to the Kentucky and

Tennessee state line at Jordan, Kentucky, to be known as project 7b.

S. Res. 16. A resolution to authorize the Governor to appoint Commissioners for the Commonwealth of Kentucky for the purpose of conveying by deed a certain tract of land now owned by the Commonwealth of Kenucky, located in the county of Jefferson, in fee simple for the purpose of enabling the county to construct a road thereon from Jefferson turnpike to the tomb of the late Zachary Taylor, President.

With the expression of opinion that said bills ought to pass.

Said bills and resolutions were severally read at length the first time and ordered to be placed on the Calendar.

At the instance of the Committee on Rules, the House took up for consideraion from the Orders of the Day a bill entitled:

H. B. 536. An act to provide for a progressive tax on transfers of direct and collateral inheritances; and to amend sections 4281a, 4281b, 4281c, 4281d, 4281e, 4281f, 4281g, 4281h, 4281i, 4281k, 4281l, 4281m, 4281n, 4281o, 4281p, 4281q, 4281r, 4281t of Carroll's Kentucky Statutes, 1915, as amended by an act entitled "An act providing for progressive tax on direct and collateral inheritances," being chapter 26 of the Acts of the General Assembly of 1916; as amended by an act entitled "An act to more clearly define the method and procedure for the imposition of inheritance taxes on contingent interests or estates and to amend sections 4281a to 4281s, both inclusive, Kentucky Statutes, Carroll's edition, 1915, and chapter 26 of the Acts of 1916, by prescribing the rate of taxes and the method of collecting same on contingent interests or estates and providing for a refund upon the hap-

pening of the contingency to persons who are required to pay a less amount than the tax imposed and paid," being chapter 56 of the Acts of the General Assembly of 1918, as amended by an act entitled, "An act relating to the collection of inheritance tax, requiring certain reports of county court clerks and imposing certain duties upon the State Tax Commission and otherwise designating a method of procedure in the collection of such tax," being chapter 44 of the Acts of the General Assembly of 1920.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Transfers to be Taxed—What Legacies and Inheritances Taxable.—1. All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to inhabitants of the state, and all personal property wherever situated belonging to inhabitants of the state, and all real estate within the state, or any interest therein, belonging to persons who are not inhabitants of the state, which shall pass by will, or by the laws regulating interstate succession, or by deed, grant, bargain, sale or gift, made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, absolutely or in trust, to any person or persons or to any body-politic or corporate, in trust or otherwise, or by reason whereof any person or body-politic or corporate shall become beneficially entitled in possession or expectancy, to any property, or to the income thereof, shall be and is subject to a tax for the uses of the Commonwealth specifically prescribed in subsection 5 of this act, upon the fair cash value of such property in excess of the exemptions hereinafter granted and at the rates hereinafter prescribed.

Such tax shall be imposed when any such person or corporation becomes beneficially entitled, in possession or ex-

pectancy, to any property or the income thereof, by any such transfer whether made before or after passage of this act, provided that property or estates which have vested in such persons or corporations before this act takes effect shall not be subject to the tax.

In Contemplation of Death.—2. Every transfer made within three years prior to the death of the grantor, vendor or donor, of a material part of his estate, or in the nature of a final disposition or distribution thereof, and without an adequate valuable consideration, shall be construed to have been made in contemplation of death within the meaning of this section. And in the event a transfer was made more than three years prior to the death of the decedent, it shall be a question of fact to be determined by the proper tribunal whether such transfer was made in contemplation of death.

By Power of Appointment.—3. Whenever any person shall exercise a power of appointment derived from any disposition of property made, whether before or after the passage of this act, such appointment when made shall be deemed a transfer taxable under the provisions of this act in the same manner as though the property to which such appointment relates belonged absolutely to the donee of such power and has been bequeathed or devised by such donee by will; and whenever any person possessing such a power of appointment so derived shall omit or fail to exercise the same within the time provided therefor in whole or in part, a transfer taxable under the provisions of this act shall be deemed to take place to the extent of such omission or failure, in the same manner as though the person thereby becoming entitled to the possession or enjoyment of the property to which such power related had succeeded thereto by will of donee of the power failing to exercise such power, taking effect at the time of such omission or failure.

Joint Interests.—4. Whenever any property, real or personal, is held in the joint names of two or more persons, or as tenants by the entirety, or is deposited in banks or other

institutions or depositories in the joint names or two or more persons and payable to either or the survivor, upon the death of one of such persons the right of the surviving tenant by the entirety, joint tenant or joint tenants, person or persons, to the immediate ownership or possession and enjoyment of such property shall be deemed a transfer of one-half or other proper fraction thereof taxable under the provisions of this chapter in the same manner as though this part of the property to which such transfer relates belonged to the tenants by the entirety, joint tenants or joint depositors as tenants in common, and had been bequeathed or devised to the surviving tenant by the entirety, joint tenant or joint tenants, person or persons, by such deceased tenants by the entirety, joint tenant or joint depositor, by will.

Contracts in Contemplation of Death.—5. In the event it shall appear, either from the will of the decedent of from extrinsic evidence that an obligation of a contractual nature exists in favor of any person, payable at or after death of the decedent, said sum so payable shall be treated for the purposes of this act as a taxable transfer, unless it shall affirmatively appear by competent evidence that a consideration substantially equivalent in value to the amount so due under said contract was paid or furnished by or for the other party thereto during the life of the decedent.

§ 2. Rate of Taxation—Exemptions of Charitable, Educational and Religious Institutions.—1. All transfers to educational, religious or other institutions, societies or associations, whose sole object and purpose is to carry on charitable, educational or religious work, within the state, all transfers for or upon trust for any charitable purpose in this state and all transfers to cities or towns or public institutions in this state for public purposes, shall be exempt from the tax imposed by this act. But no such corporation or association shall be entitled to such exemption if any officer, member, shareholder or employe thereof shall receive or may be lawfully entitled to receive any pecuniary profit from the operations

thereof, except reasonable compensation for services in effecting one or more of such purposes or as proper beneficiaries of its strictly charitable purpose; or if the organization thereof, for any such avowed purpose, be a guise or pretense for directly or indirectly making any other pecuniary profit for such corporation or association, or for any of its members or employes o rif it be not in good faith organized or conducted exclusively for one or more of such purposes.

Classification of Beneficiaries' Rates.—2. The tax upon transfers of property as above defined shall be the following rates:

Class A. In case the transfer shall be to or for the benefit of a husband, wife, lineal ancester, lineal descedant, adopted child, any child to whom such decedent for not less than ten years prior to such transfer stood in the mutually acknowledged relation of a parent, provided such relationship began at or before the child's fifteenth birthday, and was continuous for said ten years thereafter, step-child, daughter-in-law, son-in-law, or any lineal issue of such adopted or mutually acknowledged child or step-child, the tax shall be: On its value not exceeding twenty-five thousand ($25,000) dollars, at 1 per cent; on the excess of its value over twenty-five thousand ($25,000) dollars and not exceeding fifty thousand ($50,000) dollars, 2 per cent; on the excess of its value over fifty thousand ($50,000) dollars and not exceeding one hundred thousand ($100,000) dollars, at 3 per cent; on the excess of its value over one hundred thousand ($100,000) dollars and not exceeding two hundred and fifty thousand ($250,000) dollars, at 4 per cent, and on the excess of its value over two hundred fifty thousand ($250,000) dollars and not exceeding five hundred thousand ($500,000) dollars, at 5 per cent, and on the excess of its value over five hundred thousand ($500,000) dollars, at 6 per cent.

Class B.—In case the transfer shall be to, or for the benefit of, a brother, sister, brother-in-law, sister-in-law, nephew, niece or lineal descendant of, the wife or widow of a nephew,

or the husband of a niece, or uncle or aunt, and all religious, charitable, educational and state institutions as defined in section 2, par. 1, within the United States but not within this state, the tax shall be:

On its value not exceeding twenty-five thousand ($25,000) dollars, at 2 per cent; on the excess of its value over twenty-five thousand ($25,000) dollars and not exceeding fifty thousand ($50,000) dollars at 3 per cent; on the excess of its value over fifty thousand ($50,000) dolllars and not exceeding one hundred thousand ($100,000) dollars, at 5 per cent; on the excess of its value over one hundred thousand ($100,000) dollars and not exceeding two hundred fifty thousand ($250,000) dollars, 7 per cent; on the excess of its value over two hundred fifty thousand ($250,000) dollars and not exceeding five hundred thousand ($500,000) dollars, 9 per cent, and on the excess of its value over five hundred thousand ($500,000) dollars, at 12 per cent.

Class C.—In case the transfer shall be to or for the benefit of any person or corporation not exempted by section 2, paragraph 1, or included in either of the foregoing classes, the tax shall be:

On its value not exceeding twenty-five thousand ($25,000) dollars at 6 per cent; on the excess of its value over twenty-five thousand ($25,000) dollars and not exceeding fifty thousand ($50,000) dollars at 8 per cent; on the excess of its value over fifty thousand ($50,000) dollars and not exceeding one hundred thousand ($100,000) dollars at 10 per cent; on the excess of its value over one hundred thousand ($100,000) dollars and not exceeding two hundred fifty thousand ($250,000) dollars at 12 per cent; on the excess of its value over two hundred fifty thousand ($250,000) dollars and not exceeding five hundred thousand ($500,000) dollars at 14 per cent; and on the excess of its value over five hundred thousand ($500,000) dollars at 16 per cent.

Exemptions.—3. There shall be free from any tax hereunder the following inheritance interests:

Wife, $20.000.

All other persons in Class A, $5,000, except persons under twenty-one years of age, and to such persons, $10,000.

Brothers, sisters, brothers-in-law and sisters-in-law, uncles and aunts, $2,000.

All other persons or corporations, $500.

In calculating the tax on each bequest, the above exemptions are in each case to be taken out of the first $25,000 inherited and the tax on the remainder of the first $25,000 shall be computed at the rates above provided.

Liability of Executors.—4. Administrators, executors and trustees and all beneficiaries of such taxable transfers shall be liable for such taxes, with interest, as hereinafter provided, until the same have been paid. Provided, however, that in no case shall such administrator, executor or trustee be liable for a greater sum than actually passes through his administration.

Deductions.—In calculating the value of the distributive shares the following deductions and no others shall be allowed:

a. Debts of the decedent.

b. Taxes accrued and unpaid.

c. Death duties paid to foreign countries.

d. Estate and inheritance taxes paid to other states.

e. Federal Estate Taxes.—In proportion which the property assessed in this state bears to the total taxable property of the estate. All assessments used in calculation to be those agreed to by the Tax Commission of this state.

f. Drainage, street or other special assessments due and unpaid which are a lien on said property.

g. Funeral and burial expenses, and all amounts actually expended not exceeding the sum of $500 for monuments.

h. Commissions of executors and administrators actually allowed and unpaid.

i. Costs of administration including reasonable attorneys' fees.

j. A deduction shall be allowed to persons of Class A of section 2, for all property transferred by a decedent of Class A of section 2 to any person of that class, provided the same property was transferred within two years to such decedent and a tax paid thereon in this state. This deduction shall not exceed the appraised value on which such tax was paid; provided, however, such property previously taxed can be identified as having been received by the decedent from such prior decedent by gift, bequest, devise or inheritance, or which can be identified as having been acquired in exchange for property so received. Provided further, that this deduction shall not apply in favor of one who becomes a member of Class A by marriage contracted within said period of two years.

Special Case—Contingent Estates.—6. Estates in expectancy which are contingent or defeasible and in which the proceedings for the determination of the tax have not been taken or where the taxation thereof has been held in abeyance shall be appraised at their full, undiminished value when the persons entitled thereto shall come into the beneficial enjoyment or possession thereof, without diminution for or on account of any valuation theretofore made of the particular estates for purposes of taxation, upon which said estates in expectancy may have been limited.

Divesting.—7. Where an estate or interest can be divested by the act or omission of the legatee or devisee it shall be taxed as if there were no possibility or divesting.

Contingent Estate.—8. The value of every future, or contingent or limited estate, income or interest, shall for the purpose of this act be determined by the rule, methods and standards of mortality and of value prescribed by the mortality tables authorized by the Kentucky Statutes for ascertaining the value of life estates, annuities and remainder interests, save that the rate of interest to be assessed in com-

puting the present value of all future interests and contingencies shall be five (5%) per cent per annum.

Valuation of Life Interests and Contingent Estates.—9. The Insurance Commissioner shall without a fee on the application of the Tax Commission or of any inheritance tax appraiser determine the value of any future or contingent estate, income or interest therein, limited, contingent, dependent or determinable upon the life or lives of persons in being upon the facts contained in any such appraiser's application or other facts to him submitted by such appraiser or said Commission and certify the same in duplicate to said commission or appraiser, and his certificate thereof shall be competent evidence that the method of computation therein is correct. When an annuity or a life estate is terminated by the death of the annuitant or life tenant, and the tax upon such interest has not been fixed and determined, the value of said interest for the purpose of taxation under this act shall be that amount of the annuity or income actually paid or payable to the annuitant or life tenant during the period for which such annuitant or life tenant was entitled to the annuity or was in possession of the life estate. The tax on such annuities shall be payable out of the corpus of the estate unless otherwise provided under the terms of the will.

§ 3. Procedure—Supervision of State Tax Commission.—1. The State Tax Commission shall have complete supervision of the enforcement and collection of all taxes due under the provisions of the inheritance tax law, and shall make rules and regulations for the just administration thereof. It may employ such attorneys, examiners or special agents as may be necessary for the reasonable carrying out of its full intent and purpose. Such attorneys, examiners or special agents shall visit the several counties of the state and see that all statements required by this act are filed with the clerks of the proper court by administrators and executors, or by beneficiaries under wills where no executor is appointed; examine into all statements filed by such administrators

and executors; require such administrators and executors to furnish any additional information that may be deemed necessary to determine the amount of tax that should be paid by such estate. If not satisfied, after investigation, with valuation returned by the administrator or executor, the attorney, examiner or special agent shall make an additional appraisal, or may recommend the appointment by the Commission of a special appraiser, who in such cases shall be paid five dollars per day and expenses for his services. The administrator or executor, if not satisfied with such additional appraisal, may appeal within thirty days to the State Tax Commission, which appeal shall be heard and determined as other cases. From this decision or any other decision made after an appeal to the State Tax Commission the administrator or executor or any interested person shall have the right to appeal to the county court of the county in which said estate is situated for the purpose of having said issue tried.

Probate Court Reports and Duties.—2. The Clerk of the county court on the first of each month shall without fee send to the State Tax Commission forms furnished by said commission a list of wills probated and administrators appointed, together with the name of the decedent and the inventory value of the estate when such inventory is filed, and on request from the State Tax Commission shall furnish such other information as may be of record in his office concerning any such estate. But for any copies of wills or inventories the clerk shall receive his regular fee.

Duty of Executor, Administrator, or Trustee to Report Real Estate Transfers.—3. If real estate of a decedent so passes to another person as to become subject to said tax, his executor, administrator or trustee shall inform the Tax Commission thereof within six months after his appointment, or if the fact is not known to him within that time, then within one month after the fact becomes known to him.

Tax Commission Assessment.—4. All taxes imposed by this act shall be assessed by the State Tax Commission upon

the full and fair cash value of the property transferred at the rates hereinbefore set out, to be paid to the Auditor of Public Accounts for the use of the state. All executors, administrators or trustees shall be personally liable for any and all such taxes until the same are paid. Notice of the amount of said taxes shall be mailed to the executor, administrator or trustee or other person liable therefor, by said commission, and, upon request, to any other person by whom said taxes are payable. But failure to receive said notice shall not excuse the non-payment of or invalidate said taxes. Said taxes shall be and remain a lien upon the property transferred, and upon all property acquired by the executor, administrator, or trustee, until the said taxes are paid or a bond given as herein provided, but said lien shall not affect any tangible or intangible personal property after it has passed to a bona fide purchaser for value; provided, however, that nothing herein contained shall give the owner of any securities the right to have the same transferred to him by the corporation, association, company or trust issuing the same, until a permit required by this act shall have been filed as herein provided. The lien charged as aforesaid upon any real estate may be discharged by the payment of all taxes due and to become due. The heir, devisee or other donee shall be personally liable for the tax on such real estate, as well as the executor, administrator or trustee; and if the executor, administrator or trustee pays such tax, he shall, unless the same is made an expense of administration by the will or other instrument, have the right to recover such tax or any other tax from the heir, devisee or other donee of such real estate.

Enforcement.—5. The lien herein retained to secure transfer taxes may be enforced as other liens upon similar properties are enforced.

Records Kept by Tax Commission—Secrecy of Records. —6. The tax commission of this state shall keep a record of all returns made by appraisers, the cash value of annuities, life estates and term of years, and the amount of all taxes as-

sessed by them; and, in addition, the said commission may enter of record all other information and data which they may deem desirable or proper. All returns made by appraisers and all data otherwise gathered by the tax commission shall be considered as privileged communications and the same shall not be exhibited for inspection to any person or persons other than the executor or the administrator or a beneficiary entitled under the terms of the last will and testament or the interstate laws to share in the estate, or the duly authorized attorney of said executor, administrator or beneficiary. Nothing in this section shall be construed as prohibiting the use of such returns made by appraisers and all data otherwise gathered by the commission in legal procedure involving the assessment, collection or abatement of taxes provided for by the various statutes prevailing in this state.

§ 4. Quieting Title—Action for Quieting Title—1. Actions may be brought against the state by any interested person for the purpose of quieting the title to any property against the lien or claim of lien of any tax or taxes under this act, or for the purpose of having it determined that any property is not subject to any lien for taxes nor chargeable with any tax under this act. No such action shall be maintained where any proceedings are pending in any court in this state wherein the taxability of such transfer and the liability therefor and the amount thereof may be determined. All parties interested in said transfer and in the taxability thereof shall be made parties thereto and any interested person who refuses to join as plaintiff therein may be made a defendant. Summons for the state in said section shall be served upon the State Tax Commission. Actions under this section shall be commenced in the circuit court of the county in which is situated any part of any real property against which any lien is sought to be enforced, or to which title is sought to be quieted against any lien, or claim of lien; but if in said action no lien against real property is sought to be enforced, the action shall be brought in the circuit court of the county

which has or which had jurisdiction of the administration of the estate of the decedent mentioned herein.

§ 5. Payment—Forms.—1. The State Tax Commission shall prepare and furnish, upon application, blank forms covering such information as may be necessary to determine the amount of inheritance tax due the state on the transfer of all property subject to tax; it shall determine the value of such property and have full authority to do all things necessary to secure full and final settlement of all such inheritance taxes due or to become due, to the State Treasurer.

When Tax Due—Payable—Death of Decedent—Discount —Bond.—2. All taxes imposed by this chapter, unless otherwise herein provided for, shall be due and payable at the death of decedent, and if the same are paid within eighteen months, no interest shall be charged and collected thereon, but if not so paid, interest at the rate of ten per centum per annum shall be charged and collected from the time said tax accrued; provided, that if said tax is paid within nine months from the accruing thereof a discount of five per centum shall be allowed and deducted from said tax. And in all cases where the executors, administrators, or trustees do not pay such tax within eighteen months from the death of the decedent they shall be required to give bond in the form and to the effect prescribed by the State Tax Commission for the payment of said tax, together with interest.

Penalty for Non-Payment.—3. The penalty of ten per centum per annum imposed for the non-payment of said tax shall not be charged in case where, by reason of claims made upon the estate, necessary litigation, or other unavoidable cause of delay, the estate of any decedent, or a part thereof, can not be settled at the end of eighteen months from the death of the decedent; and in such case only six per centum per annum shall be charged upon the said tax from the expiration of said eighteen months until the cause of such delay is removed.

Advanced Payment and Refund of Excess.—4. Any es-

tate from which any such tax is or may be due the personal representative may make an estimate agreeable to the State Tax Commission of and pay the same to the Auditor of Public Accounts, who shall receipt therefor, at any time before the same is determined, and shall thereupon be entitled to any discount and be relieved of any interest or penalty and shall have permits issued for the transfer of securities or real estate upon the amount so paid in the same manner as if the tax were then determined. Any excess so paid shall be refunded to the person so paying or entitled thereto by such Auditor out of any inheritance tax money in his possession, upon filing with such Auditor a copy of the order fixing such tax, and attached thereto a certificate stating the amount of refund due.

Tax on Real Estate of Non-Resident—Procedure When no Administration in This State—Ancilliary Administration or Petition of Auditor of Public Accounts.—5. In the absence of administration in this state upon the estate of a non-resident, the State Tax Commission may, at the request of an executor or administrator duly appointed and qualified in the state of the decedent's domicile, or of a grantee under a conveyance made during the grantor's lifetime, and upon satisfactory evidence furnished him by such executor, administrator, or grantee, or otherwise determine whether or not any real estate of said decedent within this state is subject to tax under the provisions of this act, and if so, may determine the amount of such tax and adjust the same with such executor, administrator or grantee, and for that purpose may appoint an appraiser to appraise said property and the expense of such appraisal shall be a charge upon said real estate in addition to the tax. The tax commission's certificate as to the amount of such tax and the Auditor's receipt for the amount therein certified may be filed in the county court in the county where the real estate is located, and when so filed shall be evidence of the payment of the tax, to the extent of such certification. Whenever in such a case the tax

is not adjusted within six months after the death of the decedent, the proper county court, upon application of the State Tax Commission, shall appoint an administrator in this state.

Computation of Tax.—6. By proper order of the court having jurisdiction of the estate involved, a definite computation of the tax may be made, taking due consideration of the contingencies which may arise, and such computation of tax shall be final, subject however, to appeal as in other matters affecting such estates.

§ 6. Distribution.—The income from such taxes shall be collected and paid to the Auditor of Public Accounts, as provided by law, and of such amounts so received by the Auditor in any fiscal year, one-half part shall be for the use of the ordinary expenses of the government, one-fourth part shall be for the support and erection of buildings for the University of Kentucky at Lexington; one-sixteenth part for the support and eeection of buildings for the Eastern State Normal School and Teachers College, located at Richmond; three-sixteenths part for the support and erection of buildings for the Western State Normal School and Teachers College, located at Bowling Green; and the Auditor of Public Accounts will make distribution of said tax in accordance with said apportionment at the end of each month.

The tax herein provided for the University of Kentucky and the Normal Schools shall be paid monthly, when and as collected, to the treasurers of these institutions in the amounts set forth in this section, and shall be used by the University of Kentucky and the Normal Schools for their maintenance and support, and when sufficient sums shall have accumulated in the treasuries thereof, they may be used for erection of buildings and the purchase of land and equipment.

The taxes provided for in this act to be distributed among and paid to the several institutions and departments of state, shall be in addition to and not in lieu of any and all taxes now provided by law for the benefit of such institutions and such departments of state.

§ 7. Enforcement—Duties of Safe Deposit Companies, Trust Companies, Banks, Corporations, etc.—1. No safe deposit company, trust company, corporation, bank or other institution, person or persons engaged in the business of renting safe deposit boxes or other receptacles of similar character shall rent any such box or receptacle without first requiring all persons given access thereto to agree in writing to notify such safe depository, bailee, or lessor, from whom such box or receptacle is rented of the death of any person having the right of access thereto, before seeking access to such box or receptacle after the death of such person; and all persons having the right of access to any such safe deposit box or receptacle upon the death of any other person having access thereto, before seeking access to such box or receptacle must notify such safe depository, bailee or lessor, from whom such box or receptacle is rented of the death of such person; and it shall be unlawful for any safe deposit company, trust company, corporation, bank or other institution, person or persons having in possession or under control, custody or partial custody any safe deposit box or similar receptacle, to permit access thereto by anyone after the death of any person who at the time of his death had the right or privilege of access thereto either as principal, deputy, agent or co-tenant, without the consent of the State Tax Commission or a person by it authorized to issue such consent. No safe deposit company, trust company, corporation, bank or other institution, person or persons having in possession or under control or custody or under partial control or partial custody securities, deposits, assets or property belonging to or standing in the name of the decedent who was a resident or non-resident, or belonging to or standing in the joint names of such a decedent and one or more persons, including the shares of the capital stock of, or other interest in, the safe deposit company, trust company, corporation, bank or other institution making the delivery or transfer herein provided shall deliver or transfer the same

to the executors, administrators or legal representatives, agents, deputies, attorneys, trustees, legatees, heirs, successors in the interest of said decedent or to any other person or persons, or to the survivor or survivors when held in the joint names of decedent and one or more persons, or upon their order or request, without retaining a sufficient portion or amount thereof to pay any tax and interest which may thereafter be assessed thereon under this act, and unless notice of the time and place of such delivery or transfer be served upon the State Tax Commission at least thirty days prior to said delivery or transfer; provided that the State Tax Commission or person by them in writing authorized to do so, may consent in writing to said delivery or transfer, and such consent shall relieve said safe deposit company, trust company, corporation, bank or other institution, person or persons from the obligations hereunder to give such notice or to retain any portion of said securities, deposits or other assets in their possession or control. And it shall be lawful for the State Tax Commission or county treasurer, personally or by representatives, to examine same securities, deposits or assets at the time of said delivery or otherwise.

Penalties.—2. Failure to comply with the provisions of this section shall render such safe deposit company, trust company, corporation, bank or other institution, person or persons, liable to a penalty of not more than twenty thousand ($20,000) dollars, and in addition thereto said safe deposit company, corporation, bank or other institution, person or persons shall be liable for the amount of taxes, interest and penalties due under this act on said securities, deposits or other assets above mentioned, and said penalties and liabilities of said safe deposit company, corporation, bank or other institution, person or persons for the violation of this section may be enforced in an action brought by the State Tax Commission in any court of competent jurisdiction.

Tax to be Deducted From Legacies, or Paid by Legatee of Special Property—Executor or Administrator to Collect

Taxes on Land—Sale of Property to Pay Tax—Lien on Property to Secure Tax on Conveyances in Decedent's Lifetime.—3. An executor, administrator or trustee, holding property subject to said tax, shall not deliver property or a specific legacy subject to said tax until he has collected the tax thereon. When a specific bequest of personal property other than money is subject to a tax under the provisions of this act, and the legatee neglects or refuses to pay the tax upon demand, the executor or trustee may upon such notice as the county court may direct, be authorized to sell such property, or if the same can be divided, such portion thereof as may be necessary, and shall deduct the tax from the proceeds of such sale, and shall account to the legatee for the balance, if any, of such proceeds, in lieu of the property. An executor or administrator shall collect taxes due upon land which is subject to tax under the provisions hereof from the heirs of devisees entitled thereto, and he may be authorized to sell said land if they refuse or neglect to pay said tax. When a conveyance made by a decedent in his lifetime is subject to said tax, and the property thus conveyed, being personal property, is without the state, or is removed from the state before the tax is paid, such tax shall become a lien upon all property of the decedent, and the executor or administrator shall collect taxes due on account of such conveyances and may be authorized to sell any property subpect to the lien of such tax, for the payment thereof, as in the other cases.

Legacy Charged on Realty—Tax, How Paid.—4. If a legacy subject to said tax is charged upon or payable out of real estate, the heir or devisee, before paying it, shall deduct said tax therefrom and pay it to the executor, administrator or trustee. The payment of this tax can be enforced in the same manner as the payment of a tax on a direct legacy itself could be enforced.

Collection of Tax Upon or Sale of Property Passing to Several Beneficiaries.—5. When any interest in property less than an estate in fee is devised or bequeathed to one or

more beneficiaries with remainder to others and the interest of one or more beneficiaries is subject to said tax, the executor shall deduct the tax upon such taxable interests from the whole property thus devised or bequeathed and whenever property other than money is so devised or bequeathed he may, unless the taxes upon all the taxable interests are paid when due by the beneficiaries be authorized to sell such property or such portion thereof as may be necessary, as provided in sections 5 and 8 and having deducted the unpaid taxes on such taxable interests from the proceeds of such sale, he shall account for the balance in lieu of the property sold as in other cases.

§ 8. Transfer Tax Upon the Personal Property of Non-Resident Decedents—1. All shares of stock in corporations organized under the laws of this state and all personal property within the jurisdiction of the state and any interest therein, belonging to persons whose domicile is within the state shall, upon the death of the owner, be subject to a tax of two per centum of its actual value upon its transfer, payment or delivery to the executor, administrator or trustee of the estate of said deceased.

2. The above tax shall be enforced and collected by the State Tax Commissioner under the same provisions as those applying to the transfer tax on resident decedents. And all duties and penalties heretofore provided shall apply also to the enforcement and collection of this transfer tax on non-resident decedents.

3. All moneys so collected shall be distributed in like manner as those collected under the resident inheritance tax act.

§ 9. Penalty for False Statements or Reports.—Every person who wilfully and knowingly subscribes or makes any false statement of facts, or knowingly subscribes or exhibits any false paper or false report with intent to deceive any appraiser pursuant to the provisions of this act, shall be guilty of a misdemeanor and punished accordingly.

§ 10. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional, the decisions of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein, and if any provision of this act shall be held invalid or unconstitutional, then the corresponding provision of the statute in force at the time of this enactment shall be revived and put in force in lieu of the provision held invalid or unconstitutional.

§ 11. Sections 4281a, 4281b, 4281c, 4281d, 4281e, 4281f, 4281g, 4281h, 4281i, 4281k, 4281l, 4281m, 4281n, 4281o, 42hlp, 4281q, 4281r and 4281t of Carroll's Kentucky Statutes, 1915, and chapter 26 of the Acts of the General Assembly of 1916, and chapter 56 of the Acts of the General Assembly of 1918, and all other laws and parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

Mr. Belknap offered the following amendments to said bill, viz.:

Amend H. B. 536 by striking out all of the first paragraph of section 3, from line 1 to ine 27, inclusive, on pages 9 and 10 of the printed bill, and substituting in lieu thereof the following:

Section 3. Procedure—Supervision of State Tax Commission.—1. The State Tax Commission shall have full supervision of the enforcement and collection of all taxes due under the provisions of the inheritance tax act, and shall make all rules and regulations necessary for the just administration thereof. It may employ such attorneys, examiners and special agents as may be necessary for the carrying out of its full intent and purpose. The State Tax Commission shall direct its representatives to make an investigation in

any case where it deems fuller information necessary, and may cause administrators, executors or beneficiaries to file all statements required by this act with the clerks of the proper courts and with the commission; examine all statements filed by such administrators and executors, and require such administrators, executors and beneficiaries to furnish any additional information that may be deemed necessary to determine the amount of tax that should be paid by such estate. The county court, upon the request of the personal representative or any interested party, shall appoint some competent person as appraiser, whose duty it shall be to give notice to all persons having an interest therein and to such persons as the court may by order direct, and shall appraise the property belonging to said estate, and his report shall be filed with the county court and a copy thereof with the State Tax Commission. The said appraiser appointed by the county court shall be paid for his services out of the funds of the estate on the certification of the court the amount to be fixed by the judge of the ounty court, and the total compensation in no event not to exceed one-tenth of one per cent of the total value of the estate for inheritance tax purposes; provided there shall be a minimum allowance of five ($5.00) dollars, together with his actual and necessary traveling expenses. After investigation, the State Tax Commission shall fix the value of the estate for inheritance taxes and advise the representative of the estate of such valuation. The administrator, executor or any interested party, if not satisfied with such appraisement, may appeal within thirty days from the decision of the State Tax Commission to the county court of the county in which such estate is situated for the purpose of having said issue tried, and appeals may be taken by the personal representative of the estate or any interested party or the State Tax Commission from the judgment of the county court to the circuit court of the county, and from the judgment of the circuit court to the Court of Appeals in

the time and manner as now provided by law in other civil actions.

Amend H. B. 536 by adding to section 9, line 5, page 20, of the printed bill, after the word "accordingly," the following words:

Any person charged with any duty under the terms of this act who fails or refuses to perform the same shall be guilty of a misdemeanor, and shall be fined not less than five dollars nor more than one hundred dollars.

Amend H. B. 536 by striking out of line 46, page 11, of the printed bill, the following words: "for the use of the state."

Amend H. B. 536 by inserting in line 4, section 11, page 20, of the printed bill, between the figures "1916" and the word "and" the following:

"Chapter 44 of the Acts of the General Assembly of 1920."

Amend H. B. 536 by adding at the end of subsection 5, section 1, in line 71, page 4 of the printed bill, the following words: "provided that the proceeds of a life insurance policy, which is payable to a designated individual or individuals, shall not be subject to the inheritance tax provided for in this act.

Amend H. B. 536, section 8, line 15, page 20 of the printed bill by striking out the word "act."

Said amendments were each and severally agreed to.

Mr. Vaughn offered the following amendment to said bill, viz.:

Amend H. B. 536 by striking out the words "one-sixteenth," in line 6 of section 6, on page 15 of the printed bill and substitute in lieu thereof the words "two-sixteenths."

Also strike out the words "three-sixteenths," in line 8 of section 6, page 15 of the printed bill, and substitute in lieu thereof the words "two-sixteenths."

Said amendment was disagreed to.

Mr. Jones offered the following amendment to said bill, viz.:

Amend H. B. 536 that after the word "three" at the end of line 24, on page 2, be stricken out and the words "one" substituted in lieu thereof.

Said amendment was disagreed to.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed..

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	C. W. Bennett	J. G. Campbell
W. B. Ardery	J. E. Bickett	R. J. Cain
T. H. Baker	S. A. Blackburn	Sherman Chasteen
A. J. Baldridge	Wm. H. Bornhorst	Lee Clark
W. B. Belknap	J. F. Bosworth	Sam Cole
Homer Beliles	W. J. Brandenburg	F. W. Collings

L. F. Coomes	I. T. Layman	V. H. Redwine
J. L. Cushing	Oscar Leibson	J. F. Reed
B. F. Day	Leon P. Lewis	J. E. Robbins
J. R. Dorman	Leroy Lewis	G. W. Shadoan
E. J. Doss	Martin Light	Lee L. Simons
G. L. Drury	J. T. Linton	W. M. Simpson
Wm. M. Duncan	W. J. McMurry	Geo. W. Smith
D. E. Edwards	J. L. Manning	F. L. Strange
J. O. Evans	J. W. Martin	H. Q. Thompson
H. M. Fultz	E. B. Miller	D. D. Thornberry
T. H. Golden	Harry Miller	N. I. Toombs
J. E. Hadden	G. W. Morgan	M. E. Vaughan
W. R. Haselwood	J. L. Morgan	W. S. Wallen
J. W. Howard	Wm. J. Moore	E. C. Walker
R. O. Huntsman	E. D. Morris	W. D. Watkins
A. J. Jolly	Chas. A. Nelson	C. Westerfield
H. J. Kegley	F. V. Nunnelly	F. E. Wilson
T. H. King	E. E. Palmore	
T. J. Knight	G. L. Perryman	

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Those who voted in the negative were—

J. H. Baughman	Hector Johnson	J. Will McFarlin
H. C. Duffy	J. Roy Johnson	J. L. Richardson
H. C. Hawkins	D. C. Jones	C. D. Vincent

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Resolved, that the title thereof be as aforesaid.

Mr. Jolly moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar bills of the following titles, viz.:

S. B. 134. An act to permit mutual fire or windstorm insurance companies and cooperative and assessment fire or windstorm insurance companies organized under the laws of the state of Kentucky to make re-insurance treaties or re-insurance contracts, and to cede to or accept from other insurance companies or other insurers insurance or re-insurance.

S. B. 82. An act to assist disabled men and women in obtaining from the federal government the relief authorized by acts of Congress, continuing in existence for that purpose the Kentucky Disabled Men's Board, and appropriating funds therefor; providing maintenance of an office and stenographic help to carry on work of said board, and declaring an emergency to exist.

H. B. 444. An act relating to public health; amending, revising and re-enacting chapter 111 of Acts of General Assembly of 1918; being section 4711b of Kentucky Statutes, Carroll's 1915 edition, and also amending, revising and re-enacting section 4 of chapter 65 of the Acts of the General Assembly of 1918. being an act entitled an act relating to public health.

Ordered, that said bills be read the second time.

The constitutional provision as to the second reading of said bills at length being dispensed with, they were read the second time by their titles.

Ordered, that said bills be placed in the Orders of the Day.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 353. An act to amend section 4356t-5 of Carroll's Kentucky Statutes, 1922 edition, by adding thereto project 7½, relating to the system of primary state roads.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 4356t-5 of Carroll's Kentucky Statutes, 1922 edition, be amended and extended by adding thereto project No. 7½, from Columbus, in Hickman county, to the Kentucky and Tennesse state line at Jordan, Fulton county, by way of Clinton, Moscow and Cayce.

Mr. McMurray offered the following amendment thereto by way of substitute therefor, viz.:

An act to establish a road connecting the highway system of Missouri across Kentucky with the highway system of Tennessee, being a road leading from Columbus, Hickman county, Kentucky, to Clinton, Hickman county, Kentucky, on project 7, thence through Moscow and Caycey, Kentucky, to the Kentucky and Tennessee state line at Jordon, Kentucky, to be known as project 7b.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road leading from Columbus, Hickman county, Kentucky, touching project 7 at Clinton, Hickman county, Kentucky, and running through Moscow and Caycey, Kentucky, to the Kentucky and Tennessee state line at Jordon, Kentucky, to connect the state highways of the state of Missouri with the state highways of the state of Tennessee across Hickman and Fulton counties, Kentucky, and that this road be designated

as project 7b, and that the construction, maintenance, supervision and control of said road shall be subject to all of the terms and conditions of the primary system of state highways as set out in chapter 17 of the Acts of 1920.

Said substitute was then adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	E. J. Doss	J. Will McFarlin
T. H. Baker	H. C. Duffy	W. J. McMurry
A. J. Baldridge	Wm. M. Duncan	R. D. McMurtry
J. H. Baughman	D. E. Edwards	J. L. Manning
L. D. Bax	J. O. Evans	J. W. Martin
Homer Beliles	H. M. Fultz	Harry Miller
C. W. Bennett	O. C. Gartin	G. W. Morgan
J. E. Bickett	T. H. Golden	J. L. Morgan
Wm. H. Bornhorst	J. E. Hadden	Wm. J. Moore
J. F. Bosworth	W. R. Haselwood	Chas. A. Nelson
W. J. Brandenburg	H. C. Hawkins	F. V. Nunnelly
J. G. Campbell	L. J. Jeter	E. E. Palmore
R. J. Cain	Hector Johnson	J. J. Patterson
Sherman Chasteen	J. Roy Johnson	G. L. Perryman
Lee Clark	A. J. Jolly	V. H. Redwine
Sam Cole	D. C. Jones	J. F. Reed
F. W. Collings	T. H. King	J. E. Robbins
L. F. Coomes	I. T. Layman	G. W. Shadoan
J. L. Cushing	Leon P. Lewis	Lee L. Simons
B. F. Day	Martin Light	W. M. Simpson
J. R. Dorman	J. T. Linton	Geo. W. Smith

F. L. Strange	N. I. Toombs	E. C. Walker
H. Q. Thompson	C. D. Vincent	W. D. Watkins
D. D. Thornberry	W. S. Wallen	C. Westerfield

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Resolved, that the title thereof be as amended.

Mr. Jolly moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 532. An act to add to the primary system of state roads the route from Harlan to the Virginia state line, via Evarts and Kenvir.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby added to the state system of primary roads the route from Harlan to the Virginia state line near St. Charles, Va., to run by Evarts and Kenvir, same to be part of project No. —.

Mr. Jones offered the following amendment to said bill, viz.:

Amend H. B. 532 so that there will be added after the word "Kenvir," on line 3 of said bill, the following: "also the route from Evarts up Clover fork to the Virginia state line, near Keokee, Va., so that same when amended will read as follows, viz.:

That there is hereby added to the state system of primary roads, the route from Harlan to the Virginia state line near St. Charles, Va., to run by Evarts and Kenvir; also the route from Evarts up Clover fork to the Virginia state line near Keokee, Va., both of same to be part of project —.

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee
W. B. Ardery
T. H. Baker
A. J. Baldridge
J. H. Baughman
L. D. Bax
Homer Beliles
C. W. Bennett
S. A. Blackburn
Wm. H. Bornhorst
W. J. Brandenburg
W. B. Bush
Allen B. Cammack
R. J. Cain
Sherman Chasteen
Sam Cole
F. W. Collings
L. F. Coomes
J. L. Cushing
B. F. Day
J. R. Dorman
E. J. Doss
G. L. Drury
H. C. Duffy
Wm. M. Duncan
D. E. Edwards
J. O. Evans
H. M. Fultz
O. C. Gartin
T. H. Golden
J. E. Hadden
H. C. Hawkins
J. W. Howard
R. O. Huntsman
L. J. Jeter
Hector Johnson
J. Roy Johnson
A. J. Jolly
D. C. Jones
T. H. King
I. T. Layman
Oscar Leibson
Leon P. Lewis
Leroy Lewis
Martin Light
J. T. Linton
J. Will McFarlin
W. J. McMurry
R. D. McMurtry
J. L. Manning
J. W. Martin
E. B. Miller
Harry Miller
G. W. Morgan
J. L. Morgan
Wm. J. Moore
E. D. Morris
F. V. Nunnelly
E. E. Palmore
J. J. Patterson

G. L. Perryman	W. M. Simpson	W. S. Wallen
V. H. Redwine	Geo. W. Smith	E. C. Walker
J. F. Reed	H. Q. Thompson	W. D. Watkins
J. E. Robbins	D. D. Thornberry	C. Westerfield
G. W. Shadoan	N. I. Toombs	
Lee L. Simons	C. D. Vincent	

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Resolved, that the title thereof be as aforesaid.

Mr. Jolly moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 436. An act to establish a road from Booneville, via Tyner to East Bernstadt as a part of the primary road system.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and now is established as one of the primary road projects of the Commonwealth of Kentucky the following, to wit:

"From Booneville, Owsley county, via Tyner, Jackson county, to East Bernstadt, Laurel county."

§ 2. The said project hereby established shall be known as project No. 30-A of the primary system of state highways, and the said project shall receive and be entitled to all the benefits allowed and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways.

Mr. Moore offered the following amendment thereto by way of substitute therefor, viz.:

An act establishing as a part of the primary system of state highways a road from Beattyville, Lee county, via Cressmont, to Tyner, Jackson county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and now is established as one of the primary road projects of the Commonwealth of Kentucky the following, to-wit:

"From Beattyville, Lee county, via Cressmont, to Tyner, Jackson county."

§ 2. The said project hereby established shall be entitled to and shall receive all the benefits allowed and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways.

Said substitute was then adopted.

Ordered, that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	J. H. Baughman	S. A. Blackburn
W. B. Ardery	L. D. Bax	J. F. Bosworth
A. J. Baldridge	Homer Beliles	W. J. Brandenburg

W. B. Bush	L. J. Jeter	Wm. J. Moore
J. G. Campbell	J. Roy Johnson	Chas. A. Nelson
R. J. Cain	Hector Johnson	F. V. Nunnelly
Sherman Chasteen	A. J. Jolly	E. E. Palmore
Lee Clark	D. C. Jones	J. J. Patterson
Sam Cole	T. H. King	G. L. Perryman
F. W. Collings	T. J. Knight	J. F. Reed
J. L. Cushing	I. T. Layman	Lee L. Simons
B. F. Day	Oscar Leibson	W. M. Simpson
E. J. Doss	Leon P. Lewis	Geo. W. Smith
G. L. Drury	Leroy Lewis	D. D. Thornberry
Wm. M. Duncan	J. T. Linton	W. S. Tinsley
D. E. Edwards	W. J. McMurry	N. I. Toombs
J. O. Evans	R. D. McMurtry	J. Wood Vance
H. M. Fultz	J. L. Manning	C. D. Vincent
O. C. Gartin	J. W. Martin	W. S. Wallen
J. E. Hadden	E. B. Miller	E. C. Walker
W. R. Haselwood	Harry Miller	W. D. Watkins
H. C. Hawkins	G. W. Morgan	F. E. Wilson
R. O. Huntsman	J. L. Morgan	

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Resolved, that the title thereof be as amended.

Mr. Jolly moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 437. An act establishing as a part of the primary road system of state highways a road from McKee, in Jackson county, to Jackson, in Breathitt county, via Booneville, in Owsley county, and Tallega, in Lee county, and designating said road as project 30-B.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and now is established as one of the primary road projects of the Commonwealth of Kentucky, the following, to wit:

"From McKee, in Jackson county, to Jackson, in Breathitt county, via Booneville, in Owsley county, and Tallega, in Lee county."

§ 2. The said project hereby established shall be known as project 30-B of the primary system of state highways, and the said project shall receive and be entitled to all the benefits allowed and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways.

Mr. Moore offered the following amendment thereto by way of substitute therefor, viz.:

An act establishing as part of the primary road system of state highways a road from Jackson, in Breathitt county, via Tallega, in Lee county, Booneville, in Owsley county, Tyner, McKee and Anville, in Jackson county, to London, in Laurel county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and the same is hereby established as one of the primary road projects of the Commonwealth of Kentucky, the following, to wit: "from Jackson, in Breathitt county, to London, in Laurel county, via Tallega, in Lee county, Booneville, in Owsley county, Tyner to McKee, in Jackson county, from McKee, via Tyner, Annville and Bond, in Jackson county, via East Bernstadt, in Laurel county, to London, in Laurel county.

The said project hereby established shall be known as project No. —, of the primary system of state highways, and

the said project shall receive and be entitled to all the benefits allowed and provided in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways.

Said substitute was then adopted.

Ordered. that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, it was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	Wm. M. Duncan	J. W. Martin
W. B. Ardery	D. E. Edwards	Harry Miller
T. H. Baker	J. O. Evans	G. W. Morgan
J. H. Baughman	H. M. Fultz	J. L. Morgan
L. D. Bax	J. E. Hadden	Wm. J. Moore
W. B. Belknap	H. C. Hawkins	Chas. A. Nelson
C. W. Bennett	R. O. Huntsman	F. V. Nunnelly
Wm. H. Bornhorst	L. J. Jeter	E. E. Palmore
J. F. Bosworth	J. Roy Johnson	J. J. Patterson
W. J. Brandenburg	A. J. Jolly	G. L. Perryman
W. B. Bush	H. J. Kegley	J. E. Robbins
J. G. Campbell	T. H. King	W. M. Simpson
R. J. Cain	T. J. Knight	D. D. Thornberry
Sherman Chasteen	I. T. Layman	W. S. Tinsley
Lee Clark	Oscar Leibson	N. I. Toombs
Sam Cole	Leon P. Lewis	J. Wood Vance
F. W. Collings	Leroy Lewis	C. D. Vincent
J. L. Cushing	J. W. Martin	W. S. Wallen
B. F. Day	W. J. McMurry	E. C. Walker
J. R. Dorman	R. D. McMurtry	
E. J. Doss	J. L. Manning	—61

Resolved, that the title thereof be as amended.

Mr. Jolly moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 111. An act establishing and designating the Ohio River Road, leading from Covington to Ashland, via Newport, Bellevue, Dayton, Silver Grove, Melbourne, California, Mentor, Foster, Augusta, Dover, Maysville, Vanceburg and Greenup a part of the primary system of state highways adopted by the General Assembly of the Commonwealth of Kentucky, and recorded as such in chapter 17, section 5, Acts 1920, which is now article 2, section 4356t-5, Carroll's statutes, edition of 1922; said project to be known as the Inglis Highway in honor of the first white woman of Kentucky.

Together with amendments as offered by the committee thereto.

Said bill is as follows, viz.:

Whereas, the year 1924 is the 150th anniversary of the settlement of Kentucky at Harrodsburg, and whereas, through late activities of club women of northern Kentucky it has been revealed in Collins' History of Kentucky and Judge Chas. Kerr's recent history of our state that brave Mary Inglis, a captive of Indians, and whose children were murdered in her own arms, was the first white woman of Kentucky, now, therefore, in honor of and in order to perpetuate her memory that the highway along the winding southern banks of the Ohio river, from Covington to the Big Sandy river, be made a state highway as a monument to her and other feminine pioneers of Kentucky, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kenturky:

§ 1. That the road leading from Covington, Kenton county, to Ashland, Boyd county, via Newport, Bellevue, Dayton, Silver Grove, Melbourne, California, Mentor, Foster, Augusta, Dover, Maysville, Vanceburg and Greenup, be and the same is hereby established and designated a part of the primary system of state highways of the Commonwealth of Kentucky, and the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter seventeen (17), section five (5), Acts of 1920, which is now article two (2), section 4356t-5, Carroll's Statutes, edition of 1922, establishing and creating a primary system of state highways.

§ 2. Said project shall be known and designated as the Inglis Highway, in honor of the first white woman of Kentucky.

Said amendments are as follows, viz.:

Amend title of S. B. 141 by adding after the word "Dayton," in line 4, page 1 of printed bill the words "Coal Haven."

Amend S. B. 141 by adding after the word "Dayton," in line 2, page 2 of printed bill, the words, "Coal Haven."

Said amendments were each agreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, it was read the third time by its title and passed as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. L. Agee	T. H. Golden	Chas. A. Nelson
W. B. Ardery	J. E. Hadden	E. E. Palmore
A. J. Baldridge	H. C. Hawkins	J. J. Patterson
J. H. Baughman	R. O. Huntsman	J. F. Reed
L. D. Bax	L. J Jeter	J. E. Robbins
C. W. Bennett	A. J. Jolly	G. W. Shadoan
Wm. H. Bornhorst	I. T. Layman	Lee L. Simons
J. F. Bosworth	Leon P. Lewis	W. M. Simpson
R. J. Cain	Leroy Lewis	Geo. W. Smith
Sherman Chasteen	J. T. Linton	F. L. Strange
J. B. Clark	W. J. McMurry	H. Q. Thompson
Sam Cole	R. D. McMurtry	D. D. Thornberry
F. W. Collings	J. L. Manning	W. S. Tinsley
J. L. Cushing	J. W. Martin	N. I. Toombs
B. F. Day	Harry Miller	J. Wood Vance
E. J. Doss	G. W. Morgan	C. D. Vincent
Wm. M. Duncan	J. L. Morgan	W. S. Wallen
H. M. Fultz	Wm. J. Moore	W. D. Watkins

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Resolved, that the title thereof be amended.

Mr. Jolly moved that the vote by which said bill as amended was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 193. An act to amend chapter 17 of the Acts of the General Assembly of 1920 relating to roads and bridges.

Together with an amendment as offered by the committee thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There shall be added to the primary system of state highways as defined in section 5 of the Acts as provided in chapter 17 of the Acts of the General Assembly of 1920, the following project:

From Pineville, Bell county, to Williamsburg, Whitley county, via Greasy Creek Gap.

Said amendment is as follows, viz.:

That S. B. 193 be amended by striking out the following words in lines 4 and 5 of section 1 of said bill: "from Pineville, Bell county, to Williamsburg, Whitley county, Kentucky, via Greasy Creek Gap," and putting instead thereof the following words: "from Clear Creek Mountain Springs, Bell county, to Williamsburg, Whitley county, Kentucky, via Pineville, Greasy Creek Gap, Gatliffe, Vern and Sutton Mill."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, it was read the third time and passed as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. B. Ardery	W. J. Brandenburg	B. F. Day
A. J. Baldridge	R. J. Cain	E. J. Doss
J. H. Baughman	Sherman Chasteen	Wm. M. Duncan
W. B. Belknap	Lee Clark	D. E. Edwards
C. W. Bennett	Sam Cole	J. O. Evans
J. F. Bosworth	L. F. Coomes	H. M. Fultz

T. H. Golden	R. D. McMurtry	J. F. Reed
H. C. Hawkins	J. L. Manning	J. E. Robbins
J. W. Howard	J. W. Martin	G. W. Shadoan
L. J. Jeter	Harry Miller	Lee L. Simons
Hector Johnson	G. W. Morgan	W. M. Simpson
A. J. Jolly	J. L. Morgan	W. S. Tinsley
T. J. Knight	Wm. J. Moore	N. I. Toombs
Oscar Leibson	Chas. A. Nelson	M. E. Vaughan
Leon P. Lewis	F. V. Nunnelly	C. D. Vincent
Leroy Lewis	E. E. Palmore	W. S. Wallen
J. Will McFarlin	J. J. Patterson	W. D. Watkins
W. J. McMurry	V. H. Redwine	F. E. Wilson

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Resolved, that the title thereof be as aforesaid.

Mr. Jolly moved that the vote by which said bill was passed as amended be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 168. An act to amend and re-enact section 2119 of Kentucky Statutes, relating to divorce and providing for an assistant to the county attorney in certain cases and fixing the duties and compensation of the county attorney and his assistant in divorce cases.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 2119 of the Kentucky Statutes be amended and re-enacted so that said section as amended and re-enacted shall read as follows:

No petition for divorce shall be taken for confessed or be sustained by the admission of the defendant alone, but must be supported by other proof. Two witnesses, or one and strong corroborating testimony shall be necessary to sustain the charge of adultery or lewd and lascivious conduct. The credibility or good character of said witnesses must be personally known to the judge or the officer taking the depositions, who shall certify, or it must be proved.

It shall be the duty of the attorney for the county to resist every application for divorce, and for such services he shall be allowed a fee of ten dollars ($10.00) to be taxed and paid as part of the costs in the action, and no judgment of divorce is to be entered until all court costs are paid.

Notice of the taking of the proof in all divorce cases must be served upon the county attorney, and the county attorney is authorized to cross-examine witnesses and to summons additional witnesses and compel them to testify in divorce actions. The county attorney shall endorse his written recommendation upon the record in each case before same is submitted for judgment.

The county attorney may appoint an assistant to represent him upon the taking of the proof and the examination of the records of all divorce actions, and in the event an assistant is appointed, he shall have the same authority as is vested in the county attorney, and the fees herein provided for shall be paid to said assistant.

Mr. Martin offered the following amendment to said bill, viz.:

Amend H. B. 168 by striking therefrom after the word "conduct," in line 7 of the printed bill the remainder of said line and all of lines 8, 9, 10, 11, 12, 13 and 14.

Said amendment was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, it was read the third time by its title and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. B. Ardery	E. J. Doss	F. V. Nunnelly
A. J. Baldridge	Wm. M. Duncan	V. H. Redwine
L. D. Bax	T. H. Golden	J. Wood Vance
J. F. Bosworth	R. O. Huntsman	C. D. Vincent
W. B. Bush	A. J. Jolly	E. C. Walker
Sherman Chasteen	Harry Miller	F. E. Wilson
Sam Cole	G. W. Morgan	
J. L. Cushing	Wm. J. Moore	

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Those who voted in the negative were—

W. L. Agee	J. W. Howard	E. D. Morris
W. B. Belknap	L. J. Jeter	Chas. A. Nelson
Homer Beliles	J. Roy Johnson	E. E. Palmore
C. W. Bennett	D. C. Jones	J. J. Patterson
W. J. Brandenburg	H. J. Kegley	J. F. Reed
J. G. Campbell	T. H. King	J. E. Robbins
F. W. Collings	T. J. Knight	G. W. Shadoan
L. F. Coomes	I. T. Layman	Lee L. Simons
B. F. Day	Oscar Leibson	W. M. Simpson
J. R. Dorman	Leon P. Lewis	Geo. W. Smith
H. C. Duffy	Leroy Lewis	D. D. Thornberry
D. E. Edwards	Martin Light	W. S. Tinsley
J. O. Evans	J. T. Linton	N. I. Toombs
H. M. Fultz	J. Will McFarlin	M. E. Vaughan
O. C. Gartin	W. J. McMurry	W. S. Wallen
J. E. Hadden	J. W. Martin	W. D. Watkins
W. R. Haselwood	J. L. Morgan	

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Mr. Jolly moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Jolly, of the Committe on Rules, offered the following resolution, viz.:

H. Res. 7. Joint resolution providing for payment of assistant for Superintendent of Public Printing.

At the instance of the Committee on Rules, said resolution was read the first time at length and ordered to be placed on the Calendar.

Mr. Golden, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a bill of the following title, viz.:

H. B. 332. An act to repeal sections 1 to 10 inclusive, of an act entitled an act to further regulate the Bureau of Agriculture, Labor and Statistics, approved March 16, 1902, as amended by an act entitled an act to amend an act entitled an act to further regulate the Bureau of Agriculture, Labor and Statistics, approved March 17, 1902, and being section 22A of the Kentucky Statutes, which was approved March 15, 1912, and being section 32A of the Kentucky Statutes, Carroll's edition, 1922, and providing in lieu thereof for the reorganization of the Department of Labor under the Bureau of Agriculture, Labor and Statistics, including personnel, their salaries, qualifications, duties and penalties for interference and providing for an appropriation with which to carry out the objects of this act.

Thereupon all other business was suspended and said bills were read at length and compared in open session and

found to be correctly enrolled. Thereupon the Speaker, in open session, and in the presence of the House, affixed his signature thereto.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copy of said bill duly signed by the President of the Senate, into the possession of the Chief Clerk.

Ordered, that the Chief Clerk deliver said bill to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Mr. Walker moved that Miss Isabel Redwine be made special page for the session without pay.

Said motion was agreed to.

Mr. Jolly moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.